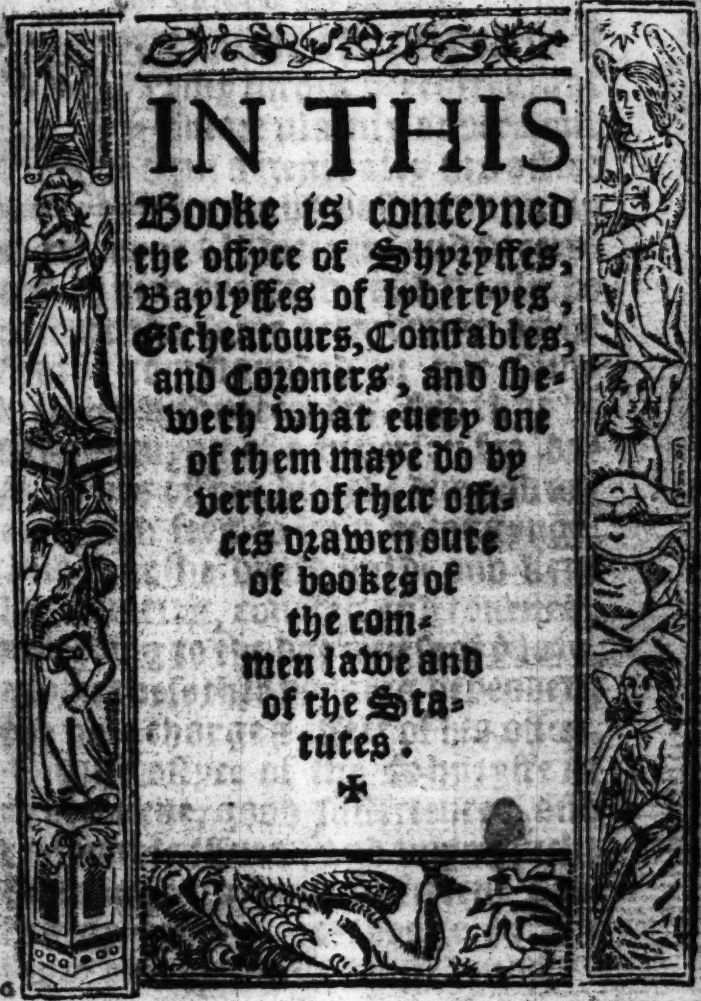

IN THIS

Booke is conteyned the office of Shyrifes, Baylyffes of lybertyes, Efcheatours, Conftables, and Cozoners, and fhewth what euery one of them maye do by vertue of their offices drawen oute of bookes of the commen lawe and of the Statutes.

✠

IN THIS

That the offyce of a shyrryffe is, hereafter shal more plainly appere. but in a generalty his office is rightefully, and duely to retourne all writtes and preceptes to hym dyrected, and truely to execute the same accordynge as he shalbe commaunded in the same writtes and preceptes. And that he take nothyng of any person for doynge his offyce, but the due and accustomed fees to hym belongynge. And that he duely holde and kepe his counties, courtes and tournes, accordyng to the due course of ye law. Upon these thre poyntes dependeth the hole charge & effect of his office.

The offyce of the Shyrryffe is to retourne, good sufficiente, and reasonable iffues, and vppon suche persones as haue sufficient goodes or landes accordynge to the statute of Westminster secundo.

Capitulo. xxxv. and Edwardi. iii. Capitulo quinto.

¶ The shyryffe ought to take the indytementes founde before him in his courne by indenture, and so shal Baylliffes of fraunchyses, one parte wherof shall remayne bowth the enditours, secundo Edwardi secundi, Capitulo. xvii.

¶ The Shirife may arreste men rydynge or goynge armyed, and commyt theym to prysone, there to remayne at the kynges pleasure, ii. Edwardi. iii. Capitulo. v. at Southampton.

Shirriffes and vnder shirriffes shal receiue writtes in euery plate within the countye bowthout takynge ought, and shal make a byll which yf they refuse, other that be present shall put to theyr seales. And yf they retourne nat the same writtes, they shalbe punyshed, and shall render damages to the party. Edwardi

wardi.3.Capi.5.at Northampton.

Shyriffes and Gaolours shall receiue theues indited or taken with ỹ maner, without taking any thyng for the receite.4.Edward.3.Capt.1.

¶ Shyrziffes shal leaffe their Hundredes and Wapentakes after the olde ferme and nat aboue.An.4.Ed.3.Cap.rv and.An.Edwar.3.Cap.8

Shiriffes ought to arreſt pſones ſuſpecte of felony, goynge by night or by daye, which be of euyll fame. An.xi.Edwardi.iii.Cap.xiiii.

The Shyrzyf in one countye ſhall haue no mo Bayliffes errant but one.xiiii.Edwardi.iii.Cap.ir.

Shyrziffes oughte to kepe theyr tournes euery yere within a moneth after eaſter, and wythin a moneth after Mighelmas.xiii.Edwardi tercii.Capitulo.xiiii.

Shyrziffes that leute iſſues, fines and amerciamentes in the countie, ought to haue ỹ extreates enſealed

with the seale of the Escheker, so that as much as is payed maye be tolled. And yf any shyryfe or minyster do the contrary he shall render to the partye treble damages, and shal make fyne to the kyng, and the sute hereof may be as wel afore Justicers of the peace, as before other Justicers. xliii. E iii. Capitulo nono

¶ The Shyryffes shal arrayne the panelles of Assise foure dates before the sessions at the least, vpon peyne of .xx. li. And Bayliffes of lyberties shal make retourne to the Shiriffes .vi. dates before the Sessions, vpon the same peyne .xli. Edwardi tercii. Capitulo .xi.

¶ The shyryf ought to examyne loyterers and vagarantes, and compel them to fynde suertye of theyr good behauioure by sufficient mayntys of suche as be distreynable, yf anye defaute be founde in such vagarantes. And yf they can nat fynde suche suerty,

fuerety, then to commaunde them to the nert Gayle there to remayne vntyll the commynge of the Justicers of Gayle delyuery, they to do wyth suche vagarantes as they shall thynke beste. vii. Richardi secundi. Capitulo. vii.

¶ The shyryfe shalbe bound foure tymes in the yere to make proclamacio of the estatute of Winchester in euery hundred of his Bayliwike.

¶ The shirife ought to take sweardes, daggers and hangers from seruauntes, laboures, and seruauntes of craftes menne, and vytayliers that weare them, onles it be in time of warr, or when they laboure in the countrey, with their maisters, or vpon theyr busynes. And the shyryf shal kepe the same weapons, which they shal present vnto the Justicers of the peace at theyr Sessions with the names of them that bere them. xii. Richardi. ii. Capi. vi.

Shyrifes ought to receiue labou-
rers, seruauntes, beggers, and va-
gabounder, and them deteyne in pri
son without Baylie or mayntpres,
and without fee or taxynge any
thing at theyr entre or goyng out of
pryson vpon paine to forfayt. C. li.
to the king. An. xi. Ri. ii. Cap. ix.

Shirifes and other ministers of
the king, so soone as they shal haue
knowledge of assembles & ryottes
with outragious nombre of people,
ought with the power of the shyre
to go and make resystence agaynste
suche malice with al their strength,
and shal attache such misdoers, and
kepe them in pryson vntyll the due
punyshment of the lawe be executed
vpon them. And all maner of Lor-
des, and other the kinges true liege
men ought to be assysted wyth all
theyr power and strengthe to ayde
the Shyrifes and other ministers
therin. xvii. Richardi secundi. Capi-

tulo

tulopctaun.

Shiriffes ought to be personally dwellyng in theyr Baylewekes for the tyme, and they shal nat let them to ferme. Anno. iiii. Hen. iiii. Cap. v.

Shiriffes ought to se and prouide that neyther their vndershyrykes, Baylyffes, Clerkes, nor receyuours shalbe atcourneys in the kynges courtes for the tyme of their office. Primo Henrici. v. Capi. quarto.

Shiriffes ought to let to mayneprys parsons indited of hereſy, and lollardes which are in their keping within tenne daies, vnder good suertie, so that they appeare before the ende of the said. x. daies. An. i. Hen. v. Capitulo. vii.

Shiriffes shal cause the statute of purueiours to be proclamed foure tymes in the yere, vpon payne. C. li. for euery time ỹ he fayleth so to do. And vpon ỹe payne shall delyuer the same to his successour to be pro-

clamed

claymed, primo Henrici sexti. Capitulo secundo.

¶ Shyryffes must make due election of knightes of the parliament. 13 Henrici .vi. Capitulo quarto.

Shiriffes muste retourne suche persons, knightes of the parliamēt which be chosen by the greter nomber of the freholdes dwellynge in the countye which may expende .xl. s. yearely aboue all charges. And that those knyghtes be dwellynge within the same countye. And that he examine euery freholder at such elections vpon a boke, how muche he may expende. And yf any shyryf retourne other knightes he shal forfayte. C. li. to the kynge, and shall haue one yeres imprisonment without bayle or maynprise.

Shyryffes vpon a precept made vnto them by Justicers of the peace to inquire of forcible enter shall retourne vpon euery of the iurours. xx.

shyllynges

.s. in fynes at the fyrst day. And Iu-
sticers of the peace shal here and de
termyne such defautes of shyryffes
by vyl at the sute of the partie, or by
inditement, and they shal lese .xx. li.
for euery defaut, & he ỹ wyl sue shal
haue the one halfe. viii. H. vi. Ca. x.

To auoide Robberies and spoyles
vpon the riuer of Seuerne, & by the
costes of forestes of Dean, and the
Hundredes of Blodestom, and West
bury in the countye of Glocester the
Shiriffes of Glocester, or ỹ Bayl-
liffes of the town of Glocester after
notificacion made to any of them of
such iyueries, and damages, by the
parties greued, within foure dayes
after suche notificacion made shall
make proclamacion to the town of
Glocester, that such offẽdours with
in .xv. dayes after such proclamacio
on, shal restore vnto the parties enda
maged their goodes so taken, or the
value, wyth a reasonable amendes.

The

The said Shiriffes, Baylyffes to forfayte .xx. li. yf they fayle so to do ix. Hen. vi. Capitulo. xxviii.

The shirif of Yerfoyde neither in his tourne, nor in any other place after the tourne ended, shall take any enquirie or enquest of office, wherin ought nat to be taken ther. Neither shal he take any fine or amercīamēt for thinges nat appertaining to his office or tourne upon payne to forfayt. x. li. In. ix. Hen. vi. Capi. vii.

Shiriffes ought to tourne in attainter in ple of lande, men of the yerely value of .xl. s. or in an action for dedes concerning landes of such value, and in accions of the summe of. xl. li. and more, those persones dwellynge wythin theyr Baylewyke which may expende .xx. li. yerely aboue al charges for terme of lyfe at the lest, out of auctent demesne, Gauelkynde, and the. v. poyntes. And at the first distresse .xl. s. and at

the

the seconde. C. s. and the double va-
lue of euery other distresse against
the Iurrours, vpon payne of x. li. to
the king, and almuche to the party.
And yf there be not sufficient per-
sons dwellyng wythin the countye
whyche may expende. xx. li. yerely:
then shall they impanel other per-
sons of the most sufficient possession
of yerely value of landes, and tene-
mentes within the value of xx. li. vp
on payne to forfayt x. li. to the king
and to the partye almuche in the
fourme aforesaid. 27. Hen. vi. Cap. 9

The Shirrife or vndershyrryf of
Herforde must arest suche persons of
Wales, or the marches therof, whych
be attelawed of treason, or felonye,
whom the said Shirrif knoweth or
seyth to be in any place within the
sayde countye, and to bryng them to
the Gayle. And yf any forbe person
beynge indyted do defaute or flye a-
way, the sayd Shyrryf shall leuye

iiii. iiii.

hue and crye and pursue hym vpon
peyne to make fyne & ransome to the
kyng. &c. Henry. vi. Capitulo. viii.

The Shyrife shall not occupy hys
office aboue one yere, and yf he so do,
shall in no wyse be. xx. li. and euery par
don for such offences shall be voyde,
any wordes a put in such lettres pa
tentes notwithstandynge. Also he
that may not occupye the same
office aboue one yere by force of such
lettres patentes shall not be able to
be shyryf in any other shyre after
wards. &c. Henry. vi. Capitulo. viii.

No shyryfe shall let to ferme hys
rowme, nor any of hys Baylie wyc
kes bundredes, or wapentakes.

No shyryfe, Baylyf, clerke, nor seruy
shyfe, nor other officer shall returne
in any panel any of his Baylyffes,
officers, or theyr seruauntes.

No shyryfe nor any other in any
wyse shall take ought of any person to
be arrested, or attached, nor to surs
cease

ceaſe of any arreſt or attachemente to be made by the body. Nor ſhall take ought of any perſon arreſted or attached, for fyne, fee, ſute of pryſon, mayntyns, lettyng to bayle, or for ſhewyng any fauour or eaſe to any perſon beyng ſo arreſted, excepte it be as here folowyth, that is to wyt, to the ſhyryf. xx. d. to the bayly yf that made the arreſt. iiii. d. and to the Gayloure yf the pryſoner be committed to warde. iiii. d.

The ſhyryfe hym ſelfe, nor any to hys vſe ſhal nat take any thyng for the makyng of any retourne or paper, but for the copye of the panell. iiii. d. how beit they vſe to take vi. d. for the retourne of a panell, but that ſemeth to be extorſion.

Shyrifes ought to let out of priſon all priſoners beynge in theyr warde, by force of any wryte bylle or warraute in anye accion perſonall, or indyteme[illegible] of treſpace, vppon a reaſonable

reasonable surety beynge sufficient in the countye to kepe theyr dayes in the places as the sayde billes writers or warrantes requyre, except suche as be condempned, outelawed or excommunicate, or for surety of the peace, or by the commandement of any Justices, and vagabondes whiche refuse to serue.

Also Shirifes ought not to take any obligations for any thing aboue mencyoned, or by colour of their office but onely to themselues, nor of any person beyng in their warde, but by the name of their office, as by the name of Shyriffes in the obligation, vpon condicion that the parties shall appere at the dayes conteyned in the writtes, in suche places as the billes, writtes, or warrantes requyre. And yf any obligacion be taken of any person by colour of their office in any other fourme, it shall be voyde.

Shirif

¶ Shirriffes shal not take for any obligacion warrant or precepte by the to be made any more than xiiii d.

¶ Shyryffes muste make their deputies yerely in the kinges courtes, that is to wyt, in the chaunterey, the benche and the Eschequer of recorde, before they retourne any wrytes.

¶ Shyryffes that do contrarye to this ordinaunce in any poynte shall lese to the party greued treble damages, and shall forfayte .xl. li. for euery tyme that they shall so offende, the one halfe to the kynge, the other to hym that wyll sue. xviii. Henrici. viii. Capitulo. x.

¶ Shyryffes when writtes be directed vnto them to leuy the expences of knightes of the parliament, muste make proclamacion at the next counte after the deliuerance of the same wrytes, that the Coroners, Constables and Baylyffes of hundredes shall be there to allyse theyr

wages, vppon peyne of .xl.s. wha-
tsome they shal assesse euery hundred
at a certayne summe by it selfe, and
after they shall assesse euery Vyl-
lage, within the same hundred at a
certayne summe by it selfe. And yf
they be otherwise assessed, for euery
defaut they shal forfayte .xx. li. The
one halfe wherof shalbe to the par-
tye that wyll sue. And the shyryf
shal leuy the same duely, and shall
paye it to the knyghtes of the par-
lyament vpon peyne of .xx. li. And
the party that wyll sue shall haue
hys action by Scire facias, and
shall haue .x. li. about the .xx. li. with
treble damages. xxiii. Henrici sexto.
Capitulo vicesimo secundo.

The shyryf after the deliuery of
any writte to make election for the
knyghtes of the parliamente, must
make a sufficient precept vnder his
seale to euery Mayre and Bayliff
of Cytyes and Boroughes, within
the

the countye, theym commaundynge to elect Citezins, and Burgeffes to come vnto the parliament. And the ſaid Mayze & Baylif ſhal truly retourne the ſame precept to the ſhyryf by endenture betwene them for election, and names of theym that are ſo choſen. And the ſhyryf is bounde to make a good and true retourne of euery ſuch writ, and of euery retourne made to hym by the Mayze and Baylyffes. And for euery tyme that the ſhyrif ſhal do contrary to this or any other ſtatute made for the election of ſhyryffes to come vnto the parliament he ſhall incurre the peyne of one. C. li. to the kyng, and a yere imprifonment without bayle. And moreouer ſhal pay vnto the perſone ſo beynge choſen, knyghte, Citezins, or Burges, and nat duelye retourne, or to anye other perſonne wythyn the faute of ſuche knyghte, Burgeſſe,

or citezin wyll sue therfore, one hundred pounde to be recouerd by action of dette.

And the shyrryffe ought to make suche elections in the full county betwene the houres of .viii. and .ix. before noone, and to make a good and true retourne of suche elections vpon payne to forfayte an .C.li. to the kyng, and asmuch to the party that wyll sue therfore agaynst the shyrriffes, theyr executors, or administers, xxiii. Henrici .viii. Capitulo .xv.

Shyrriffes in theyr turnes ought to inquire, heare or determyne, yf any minister, of the warden of the courte in the marches of Scotland, or yf any other arrest any person by his bodye, or attache hym by hys goodes out of the countyes of Northumberlande, and Cumberlande, Westmerlande, and the towne of Newcastel to answere in any of the sayde courtes: or els by colour or

cause of any processe in the said courtes: for in suche arrestes it shalbe lawfull for euery man to make resistence. And the partye greued shall haue an action of false imprysonment or trespas, and shall recouer treble damages therfore, and the defendaunce shall haue two yeres imprysonment, and the shyriffe shall haue power to procede therupon, as well as vpon a presentment made at the tourne. Anno. Henrici. vi. Capi. xii.

Where as some men by dissimulacion and other meanes fayne them selues to be louers to women vnmaryed, as Wydowes, or Wydowers hauynge greate possession and substaunce of goodes, and get suche women into their possession, and conueye them into suche places, from whence they wyl not suffer them to go at their lybertye, except they wyll make to them dyuers gyftes of greate summes to be payed vnto

them by cause them to be bounde to
estaturte. Marchaunte, or some time
wyll compell them to be marryed at
theyr pleasure, wherby they refuse
to leuye vpon them the summes con
teyned in the same obligations and
statutes, it is ordeyned that the par
tye greued shall haue a writte out
of the Chauncery comprysynge the
hole matter of theyr vnreasonable
nes entryng directed to the shyryf,
commaundynge hym to make proo
of amattion at the next Countey after the receypte of the writte that
the offendour shal appeare at a cer
teyne day and place prefyxed by the
writte before the Chaunce Iustyces of
the Iaylyuery or Assise of the shyre
where suche offences shal happen to be
doure or before some other person as
signed by the Chaunce Iustyces. And
the shyryf to whom suche a writte
shalbe directed, and shal execute the
same according to the tenour therof

vpon peyne of. CCC. li. the one halfe to the kynge, the other to hym that wyll sue therefore by wrytte of Debt wherin no wager of lawe, protec-cion, nor foryn plee to cause them ma-ried to be tryed in an other countye then where the wrytte is brought shal be allowed. xxi. Henrici. viii. ca-pitulo. xiii.

Also vpon euery inditement or pre-sent-ment taken before shyrryffes or their ministers in they? tournes, or lawe dayes, they shal deliuer the same in-dytementes and presentmētes to the Justicers of the peace at they? next Sessions vpon peyne of. xl. li. And the Justicers of ỹ peace shal awarde proclle vpon the same, as wel as if they had ben taken before them sel-fes, & shal arreayne those that be so indited of felony, and shall set fines vpon such as be indyted of trespas, the extreates of which fines shal be inrolled by indenture and deliuered

vnto the same shyrriffes or ministers.
¶ And yf any shyrriffes or their ministers arreste or attache any person by colour of any such indictement or presentmente in theyr tournes or lawe dayes, or els take any fyne or amercyamente therefore, they vnder processe from the Justices of the peace, or afore the extreates oute of the Indictements shall be deliuered, they shall forfayte, C.li. the moytie whereof shall be to the partye suynge therefore by writte of dette in which no wager of law nor protection shall be alowed. 1. Edwardi quarti. Cap. viij. vltimo.

¶ Upon an information made to Justices of peace, or to other Justices against anye person for retey-nynge or gevynge of lyuerey, or a-gaynste anye that is retayned or taken lyuerey the Justices shall make processe therupon, as vpon arrerages of dewties trespassyd. And yf the shyr-

ryffes make fute graunted therea-
gaynst any perſon beyng ſuffici-
ent, retourne ayder leſſe iſſues of their
rentes the fyrſt day of the ſeconde, and
all the ſeconde, daye the thyrde day.
And ſo at euery Day after, more by v. li. in iſſues for
euery ſuche retourne. Statut. Edwardi primi
apud Weſtm. anno xiii.

The olde Shyryffes ſhall haue power to retourne theyr panell, and to
enter theyr offices duryng the terme of
Saynct Mychael and Hylarie, after the
yeare of theyr full diſcharge of theyr
offices. Edwardi tertii capitulo.

Shyryffes, nor theyr offycers ſhall
ſeaſe or take the goodes of any perſon
beyng arreſted for impriſonment of fel-
ony vntyll the ſame perſon be duely
conuicted or attaynted of the ſame fel-
ony by courſe of the common lawe, or ex-
ceptyng the ſame goodes hereafter poſſe

lawfully forfayt, vpon peyne to forfayte the double value of the goodes so taken to the partye greued suynge therfore by accion of dette, wherein no wager of lawe, essoyne, nor protection shalbe allowed fyue Richard.iii.C.capitulo.iii.

¶ No Baylyf nor other officer in euery paresh within any county of this realme shall retourne any person to be put in bayl vpon any inditement in the courtes of fyue yeres, but such haue be of good name and fame, hauing free hold to the yerely value of xx.s. or copihold to the yerely value of xxvi.s. viii.d. ouer the rent, aboue all charges, vpon peyne to lese for euery person not being sufficient at euery time that they shall so do office xx.s. and the sayd officer also wherof the one moyte shall be to the partye suynge therefore by accyon of dette, in whyche sayte no protection, nor essoyne shalbe allowed. But wa-

ger

ger of lawe is nat expressed: And
for that cause it behoueth to make
information therof in the Eschyker
i. Richardi. iii. Capitu.

The Shirriffes or other hauynge the
custodye of Gayles shall certifye the
names of euery prysoner lyenge in
theyr custody, and to them commyt-
ted for felony, vnto the Justices and
the next generall Gayle delyuerye
be kalendred, vpon payne to forfayt
for euery tyme that they shal make
defaute in so doyng. C. xiii. Statuti.
vii. Capitulo. iii.

Also the shyrryf nor noother per-
son in hes name, or by his commaun-
dement shall enter no plee vntis made
their bayliffes in mans name, vnles
the pleyntife be there in hys proper
person, or els by sufficient attorney
or deputye that is knowen of good
name, and the pleyntyfe shall fynde
pledges, personnes that be knowen
within the countye for pursuyng
hys

his pleinte, and the pleintyfe shall
haue but one plainte for one treespas,
or one conuicte. And yf the shyryffe
or any other his officers cause to be
entred ampe mo pleintes then the
pleintyffe supposeth that he hathe
cause of action agaynste the defen-
daunte, or that the shyryffe or his
clerke, that dothe cause to be entred
any suche pleintes, contrary to this
acte shall forfayte for euery defaute
xl.s. the one halfe to hym that will
sue and proue the same in ayer by ac-
cion of decte or informacion.

¶ Also the shyryffe shall make suffi-
cient preceptes after suche pleintes
entred agaynste the defendaunte dy-
rected to the bailiffe of the hundreth
to attache or warne the defendaunte
to appeare and answere to the sayde
pleyntes, and yf there be any defaute
in the sayde bayliffe of the hundreth
in warnyng or execucyng of the sy
officers then to forfayte xl.s. and to

be

be conuicte thereof by examynacion of the Justicers of the peace or ony of them.

¶ The same shyrryffes nor theyr deputyes shall make none estreates to leuy the shyre amercyamentes tyll that.ii. Justicers of the peace whereof one to be of the Quorum haue the syght of theyr bookes & the estreates to be endented betwixte the Justicers of peace and the shyrryffe and vnder shyrriffe sealed wyth theyr seales, the one parte to remayne wyth the sayde Justicers, and the other parte wyth the shyrryffe.

¶ And those persons that shalbe gatherers of the sayde amercyamentes shalbe swoorne by the sayde Justycers that they take no more mony then is forfayte and contened in the estreates sealed wyth the seales of the Justycers to the same vppon the payne of forfaytoure, as is aboue rehearled, the same

gathe-

gatherers to be conuict by examina-
cion of the same Justicers, or one of
them. And the same Justicers of
peace shall be appointed at the Ses-
sions holden at Michelmas by him
that is custos rotulorum, or in his
absence by the eldest of the Quorum
to haue the controlment of the said
shyrefes, vnder shyriffes, shyre clar-
kes and other of the sayde officers,
and of the sayde shyrefes amerce-
mentes. And the sayde Justicers of
peace vpon suggestiõ shal make pro-
cesse againste the shyrif, vnder shyref
shyre clarkes or other officers to ap-
peare before them, to answere to such
suggestion or informacion as is vs-
ed in actions of trespas. Anno secun
do Henrici. vi. Capitulo. xii.

Also euery shyref shall cause to
be taken all vacabundes ydle peo-
ple, and suspecte persones and sette
them in the stockes, ther to remaine
at the shyrfe takynge by one daye
and

and one nyghte, and at the seconde tyme to be in the stockes, by three dayes and three nightes with bread and water. And yf anye shypper-ecute not these premysses of everye vagabunde heremite or begger able to labour, or clearkes, pylgrims, or shyppmen, as ofte as anye suche commeth in syghte, or that he hathe thereof any knowledge with in the towne or place where he hath auctorytie, that as ofte as any such mysdoer abydeth there above the space of one daye and one nyghte as nye departe vnexamyned and vnpunyshed, for euery mysdoer so departed, the Shyrifes to lose three shyllynges, fiue d. and the shyrif in hys tourne hath auctoritie to inquyre of al the defautes of Mayres, Baylifes, high Constables, petye Constables, and al other gouernoures, and of other gouernoures, and officers of Cities, Townes, and Villages,

within theyr tourne, and to haue xiij.
s.iiij.d. for euery Defaute founde in
his tourne. An. xvij. Henrici. vij. Ca-
pitulo xij.

Also euery shyryffe vpon a pre-
cept directed vnto hym by the Justi-
cers of peace to retourne a panel to
inquire of any ryotte or vnlawfull
assemble committed, shall retourne
xxiiij. persons dwelling in the shyre,
euery of them hauynge xl.s. of fre-
holde, or xxvi.s. viij.d. of copyholde
or of both ouer all charges, and to
retourne into issues euery person xx.
shyllynges at the first daye, and at
the seconde day xl.s. and yf the de-
faute be in the shyryffe for their to-
urynge of persons not beyng of that
sufficiente or for none returning of
issues in tourme before said he to for-
fayte xx.li. An. xvij. Hen. vij. Cap. xv.

Also yf any ryotte or assemble of
people be made in any parte of this
realme agaynst the lawe, the Justi-

cers

cers of peace, or two of them at the leaſt, and the Shyryf or vnderſhyryfe maye come with the power of the countye (yf nede be) to arreſt and bryng them before the ſame Juſtycers of the peace. And the ſhyryfe or vnderſhyryf haue power to record that, that they ſhall fynde in their preſence done contrary to the lawe, and the offendoure ſhalbe conuycte by ſuche record. And yf they be departed before the commynge of the ſayde Juſtycers, Shyryfe, or vnderſhyryf, then ſhall the ſame Juſtycers, or two of them within one moneth after ſuche eyot, enquyre dyligently where the aſſemble was made. And yf the truethe can not be founde, then the ſame Juſtycers, or two of theym, and the Shyryfe or vnderſhyryfe aboue ſayde, wythin a moneth nexte folowynge, ſhall certyfye before the kynge and his counceil the hole dede

withal the circumstances thereof, which certificat shalbe as strong to put the parties to answere therupon, as an inditement founde by .xii. men. Anno .xii. Henrici quarti Capitulo vltimo.

And yf the said ryot or vnlawful assemble be nat founde by reason of any embracery or mayntenaunce of the said Jurye, then the said Justicers of peace and the shyryf, ouer & aboue such certificat that they muste make according to the sayde statute made. An. xiii. Henrici quarti, shall in the same certifycat certyfye the names of the said mainteinours and embrasyours in that behalfe (yf any be) wyth theyr misdemeanours that they knowe, vpon peyne of euery of the said Justicers, and shyryffes or vnder shyriffes .xx. li. yf they haue no reasonable excuse for noone certyfyynge of the same, which certificat so made, shalbe an indytemente in the

lawe

law. And euery person duelye proued to be mayntenour or embraso-
oure shall forfayte. xx. li. and to be cõmitted to warde, therto remayne by discrecion of the Justicers. Anno xir. Henrici septimi. Capitulo. xiii.

¶ Also that no Shirif vpon wrytes and preceptes directed by hym do retourne before Escheatours or Commissioners, anye person to inquyre of any landes, or tenementes, except euery of the same Jurye haue landes and tenemenees of the yerely value of. xl. s. aboue all charges in the same shyre vpon peyne of forfayture for euery person so retourned a hundred shyllynges. Anno. iii. Henrici. viii. Capi. ii.

¶ Also all panels put in by the shyryf before any Justicer of gayle delyuere, or before Justycers of peace (wherof one to be of the Quorum) in theyr open sessions, to enquire for the kynge, shalbe reformed by

puttynge to, and takynge out of the name so impanelled by discrecion of the same Justicers. And that the same Justicers or Justicer shal commaunde euery Shirif and their ministers in theyr absences to put other persons in the same panell by their discrecion, and ỹ same panel so returned by the Justicers to be good. And yf any shyryffe do not returne the same panell so returned, then euery shyryf so offendyng for euery such offence shal forfayte xx li. halfe to hym that wyll sue by action of det, dyll or complaynte, where suche shal fall ord, and no wager of lawe, essoyne, nor protection shalbe allowed.

Also vpon euery exigente where wrytes of proclamacion are to be awarded the same wryt of proclamacion to haue the same daye of returne that the exigent hath, and to be delyuered of recorde, and the shyryfe

ryfe to make proclamation thre ſeueral dayes in his pleyne countye, wherof one of the proclamacions to be made at the generall Seſſions in thoſe parties where the partye is ſuppoſed to be dwellynge, that he yelde hym ſelfe to the ſhyryf of the foren ſhyre, that the ſhyryfe maye haue the body at the day of the exigent retournable to anſwere to the playntes, and that the ſhyryf of the ſayd county that hath ſuch wrytte of proclamacion duely execute the ſame and therof make due retourne at the daye appoynted in the ſame wrytte, vpon peyne to forfayte ſuch amerciamente, as by the Juſticers ſhalbe aſſeſſed.

Shyriffes, Baillyffes, Cõſtables and al other hede officers, & euery of them fyndyng or knowing any perſon vſynge or exercyſyng any vnlawful games contrarye to the ſtatute, haue full power to commyte euery

such offendour to warde, ther to remaine without baille or mainprise, to such tyme as they so offendynge be bounde by obligacion to the kinges vse in such summes of money as by discrecion of the sayde shyrryffes, or other officers: shalbe thought reasonable, that they frome hence forth shall nat vse anye vnlawfull games. Anno sexto. H. viii. Capi. ii.

¶ If any impotent person begge within any other place then within suche lymyttes as he shalbe assigned, the shyrryffes and all other the kynges officers shall by theyr discrecion punysh such persones by imprysonment in the stockes, by the space of two daies and two nightes gyuing them bread and water onely, and after that cause them to be swoorne to retourne agayne to the place where they be lycensed to begge. Anno. xxii. Heurici octaui. Capitulo duodecimo.

The

The Justicers of peace vpon in-
formacion or presentment made a-
gainst any Townelyp for none exe
cuting of this act, shal make proces
by distres against the inhabitantes
of the towne, and therby the shyryf
shal dystreyne the goodes of one or
two of the inhabitantes of ꝑ towne
as he may knowe for necligente in
the towne and retayne the dystres
tyll he fynde surety to appere at the
Sessions before the Justicers.

¶ And vpon the retourne of the shi-
rif of the distres, yf the persone ap-
pere nat, then euery suche person to
lose. xl. d. at the fyrst distres, and at
the seconde distres. vi. s. viii. d. vp-
pon his defaut, and so to be double
at euery distres tyll apparaunce be
had.

Shiriffes that haue custodye of
Gayle shal make seales to be graue
with the names of ꝑ Castell that he
kepeth, for to gyue ꝑ seale wyttes

to prysoners acquyted to begge for
theyr fees wythin the hundreth
where he is deliuered by. vi. weekes
next after his delyuere, and then to
go to the hundreth where he laste
dwelled by. iii. yere, or wher he was
borne. The shyryfe shal nat suffer a
ny suche prysoner to begge for hys
fees, nor to depart but to do seruyce
and labour, tyl that he deliuer hym
suche letter, and the Clerke of the
peace to make the byrefe within one
daye after the sessions, vpon peyne
of twelue pence to the kynge. Anno
xii. Henrici. viii. Capitulo. xii.

For the distroyinge of Crowes,
Rokes and Choughes, it is ordey-
ned that euery person hauynge any
maners, landes, and tenementes in
theyr manurance, shall do as much
as in hym is resonable to kyll and
destroy ỹ same Crowes, Choughes
and Rokes bredynge or abydynge
vpon hys landes or tenementes, vp-

pon peyne of a greuous amercya-
ment to be set. And yf the offence be
within the limittes of letes, rapes,
or court barons, then to be set by the
steward with .ii. of the presentours
by the Steward, and presentours
to be named vpon the presentment
founde and presented, and to be rea-
sonably assessed after the quantite
of the offence. And the amerciament
to be to the lord of the lawday. And
yf any persone be lord of suche ma-
nours, or inhabite there (whereun-
to any suche lawday or rape is be-
longing) then vpon a presentmente
had before the Shirif in his tourne
with two of the presentours to be
chosen by the presentours shall cesse
the sayd amerciament by theyr dis-
crecion to the vse of the kynge, and
be leuied by distresse. Anno .xxiiii.
Henrici. viii. Capitulo. x.

And the shyriffes in their tournes
shal gyue in charge to the tenantes

and inhabitaunces appering before them that they shal duely enquyre, and putte in execution the effecte of this acte.

¶ Shiriffes shall holde their courtes from moneth to moneth. And where greater time is wonte to be, greater shalbe. Magna Carta. cap. xxiii.

¶ The kynge commaundeth that shyryffes and theyr officers whych receue his det shal acquite lawfully the dettours at ỹ next accomptes after that they haue receyued the det: & then it shalbe allowed in the Escheker, so that it shall nat come in the somons after. And yf the shyryf do otherwyse, and be attayned therof he shal render .iii. tymes so much as he hath receyued, and shal make fyne at the kynges wyl. And yf another do it, for whose hande he is answerable at the Escheker, he shal rendre the treble therof to the plein

tyfe

tyfe, and shal make hym fyne in the same. And the shyryf shal make tayles to al them that haue payde him the kynges dettes. Westminster pri meer. Cap. tulo nono.

Concerning shyryffes and other which haue leuyed the kynges det, and make tailes or other acquitáce to the dettour, and dyscharge hym nat. It is agried that whan the shiryf is impleded therfore in the Escheker by the dettour, yf he cum nat at the distres, then shall an other distres be awarded retournable at a certayne day wherin it shalbe cómaunded that proclamacion be made in the ful county, that the defendant shal come in by a certayne day to acquyt the doctoure of the summe, for whyche he made hym the acquytaúce or tayle, at whyche yf he come nat in, and the wrytte be retourned, and the proclamacion certifyed, he

shalbe

shalbe holden conuicte, and the det shalbe leuyed of hym, in lyke maner as det recouered agaynst hym in the kynges courte, and damages shalbe awarded to the plaintife, accordyng to the discrecion of the Barons. xiii. Edwardi. ii. in the statute of Atteintes, the laste Chapiter.

¶ The kyng commaundeth that al shyrryffes, and Bayliffes whyche haue receyued hys dettes, of the somons of the Eschekier, whiche acquitenat the dettours vpō the next accompt, shalbe punished accordyng to the estatutes made. Distresses of the Eschekier. Capitulo quinto.

¶ It is ordeyned that execucion of wyttes which come to the shyryf, be made by the hundreders knowen and swoꝛne, & in the ful county, and nat by others, yf it be nat for greate scarsyte of hundreders. For then it shalbe done by other person conuenient

ent and swoꝛne. The statute of Lincolne the last Chapiter.

Shyriffes shall nat be charged with the liuieng of any issues, noꝛ shall leuy any beꝼoꝛe they come oute of the Eschekeꝛ by the estreates thert to be leuyed. And yf percase any shyryf retourne issues upon any recognitour pledge, oꝛ manucaptoꝛ, by hym assessed and retourned into our courte, whych to the payment of the same issues, oꝛ amerciamentes at the tyme of the retourne wꝛyt in suffycient: the same Shyrif shall be charged therewith at the Eschekeꝛ, and shall make tayles to all persons of all maner of thinges by him receyued, and shall nat retourne any wher the names of manucaptoꝛs, Jurours, oꝛ other, excepte it be accoꝛding to the tenour of the wꝛyttes to them directed, noꝛ shall retourne the names of pledges of frenk any wher oneles they haue manifestly cõfessed

them

them selues pledges. The statute of Fynes Capitulo secundo.

No shyryf, coroner, or other the kynges ministers shall take no reward for doyng his office, and yf he do, he shall pay the double, and shalbe punished at the kynges will, but shalbe paide of that which they take of the king. Westm. i. cap. xxvi.

Shiriffes shal nat suffre any barretoure or mayntey nour of matters within his county, neyther stewardes of great Lordes or other (which be nat attourneys to theyr lordes to do theyr suytes) nor to syt vpon the iudgementes of the countyes, nor to pronounce them except he be therto requyred of all the sutours, and attourneys that shalbe there at the same tourney. And if he do the contrary, the kyng shal take it greuously to the Shyriffe and the offendoure. Westminister. Primo. Capitulo. xxi.

It

It shalbe lefal for euery shyrisse, Justicer of peace and Escheatoure to seale to the kinges vse al such goodes & catels, that suche persons as come within this realme that be called Egipcians haue, and thereof to make accõpt to the king in his Escheker, and to retayne and kepe the choyte therof to his owne vse, and accompt for the residue, and to paye no fees for the accompt nor for hys discharge therof.

¶ In the statute it appeareth what thing the shyryf ought to do by reso of his office, & that he ought nat to take any thing for doyng his office but onely that which is appoynted to him by ỹ same estatute. And if he do or take any thing otherwise, it is extorcio which ought to be enquired vpon by Justicers of the peace, and the shyryf shal be punished therfore.

And yf any shirif do any extorcion to the people, & be duely attaynted thereof

thereof he shalbe straitly punyshed therfore at the pleasure of the king Anno primo. Hen. viii. Capitulo. xi.

¶ Shyrriffes maye, and are bounde to enquyre of come anunciances done to al maner of the kinges subiectes, but nat of assaultes made vpon any priuat parson, for that is but a particuler offence. by Martin. viii. H. vi.

¶ The shyryf must kepe hys turne within a moneth after Easter, and within a moneth after the feaste of S. Myghel. And yf he kepe it at any time after the moneth of the said feastes, it is voyde by the statute of. An. xxxi. Ed. iii. Capitulo. xii. And all indytementes, and presentmentes there taken after the same tyme be voyde.

¶ Blode shed shalbe enquyred of, in the shyrriffes tourne, bicause it is an article that is to be enquyred of in a Lete. All Letes be derined and take out of the Shyrriffes tournes, in to

much

much that for defaute of enquery in letes of thinges enquerable ther the same thinges there omitted oughte to be enquyred of in the turnes of shyrryfes, Pet. viii. Edwardi. iiii.

And all the Justicers sayde that the shyrryffe in his tourne hath auctoritie, to enquyre of al thinges that be trespas or felony by the comon law except the death of a man) but of trespas or felony made by estatute the shirif in his turne hath no power to enquyre of. M. xxviii. Edwar. iii.

And yf the shyrryf in his tourne enquyre of instances, & should be inquyred of in the Lete of an other, and the same be founde, yet may he nat distraine for the amerciament of suche a presentment. For yf he do he is trespassoure. But yf there were a defaute in the Lorde of the Lete, in that he would nat enquyre or fynde the same, whan he oughte to haue enquyred thereof, in this

this case it semeth that the shyryf in his tourne may enquire of it in defaute of ỹ lord. M. xxviii. Ed. iii.

And yf one haue a fayre or market by graunt or prescripcion, and kepe nat his fayre or market as he ought, the shyryf ought to enquyre therof in his tourne. xxii. Henrici, vi.

☞ Upon a presentment of Nusance in the shyryffes tourne, the partye shalbe amerced there by the shirif, which may distrayne for the amerci amente. And if porpresture be presented there the shyryf maye abate the same, and refourme it. Pe. xxvi. Edwardi. iii.

☞ Also it appeareth by the boke of Bryton that vnto the turne of ỹ shirif ought to come al the freholders of the hundred, and other lande tenauntes Clerkes, men of religion, and women only except) wher at the shyryf shal cause. xii. of the most sage and sufficient persons of the hundred

to be

to be ſwoꝛne. And then ſhal all the reſydue be ſwoꝛne by doſyns, and by the townes, whyche ſhal make theyr preſentmentes to the fyꝛſt. xii. Iurours vpon the artycles wher with they ſhal be charged. And it ſemeth that the ſhyꝛyf ought to holde hys tourne in euery hundꝛed within the countye.

What thinges be enquirable in the Shyꝛyffes tourne.

FYꝛſt they ſhal enquire yf there be any myſdoer in the huudꝛed of whō any ſtādeth in doute of lyfe oꝛ lim, & what is his name

Alſo they ſhal enquire of al moꝛtal enemyes, to the king, the quene, theyr childꝛen, oꝛ counceiloures, of counterfeating the kynges ſeale oꝛ his money, of manſlears and murderers, of burners of others coꝛne oꝛ houſes feloniouſly, of Burgloures, of robbours, of theues, of outlawes

of those that haue abiured ȳ realme and cumme agayne, of sorcerers and witches, of myscreantes, and heretykes, of traytoures and of prisoners, of cutters of purses, of vsurers, of vytaylers byeng & sellynge wyttyngly stolne flesh of them that wyttynglye make whyte the skynnes of beastes stolne, of redubboures that wyttyngly bye stolne clothes, and dresse them into an other faciō, of treasoure hid in the groūde, hues and cries wrongfully or rightfully leuied & nat pursued, or waters stopped, straightened or tourned, of boundes pulled vp or wrongfullye chaunged, of walles, houses, gates, marlepittes, ditches, or other disturbances made, or leuyed vppon any comuon way to the anunsaunce, of pety bryboures that shere shepe to haue the wulle, of suche as take thefbote, and of those that haue made a pryson of theyr owne house

or house

of houshold, of pounde breache, of
trespallours in parkes and pōdes,
of takers of other menyes Doues,
of the assyse of bread, & ale broken,
of them that bye and sel by measure
against the assyse, of chaunce medi-
leys, of counterfoutes, of bloudshed,
of matches, vnkept, of the kynges
highe wayes nat enlarged, of those
that haue kept appeachours in any
other pryson then the kynges, or any
other felon aboue a day and a night,
of new lyberties, customes, or iu-
risdictions vsurped syns the laste
tourne on water or on lande, of weifs
of wreckes of the sea founde and
kept away, of bridges and cauleeys
broken, & who ought to repayre thē,
and of those that clayme fraunchi-
ses, or iudgementes reallies, and of
all those of the age of xii. yeres gon
out of the hundred, which be nat come
into ỹ tourne except Clerkes, knigh
tes, their childrē and wyues which

be nat in dolins of vacabounde⁹ by the countrey wh̄ich are of no mannes reteynue, of whome ther is any euyl suspecti⁹ of lewde demeanour And whan the townes haue geuen theyr verdite to the fyrst Jurrours, them immediatly shal the first Jurrous go and gyue vp their presentment suche as they wyll abyde by. And the presentmēt of felonyes they shall shew priuely, and the other openly, Vtron tibi. Folio. xcviij.

Now must ye enquyre further yf Bayliffes of lyberties and fraūchyses haue duelye done theyr office wh̄ich resteth in thre poynes, wh̄ich is, that they truely execute the preceptes wh̄ich be directed vnto them according to the tenour of y same, and that they make due retournes and retourne to the shyryfe of the same preceptes, and yf he take any thynge for doynge his office, but onely the fees to hym due, & appoyn-

ted by the course of the lawe, and what fees they shal take, and what thinges they ought to do by reason of theyr office shall appeare more playnly here folowynge.

¶ The offyce of Bayllyffes of lybertyes.

Upon a precept made by the Shirif to a Baylif of a lyberty upon a wryt of distres directed to the shyryf to dystreyne the defendaunt in the same wrytte, or the Jurrours in any enquest, the Baylyf must retourne good and sufficyent issues, upon the defendaunte, or upon the Jurrours if they haue sufficient goodes or landes within his Baylywyke, and yf he do nat the playntyfe in the action shall haue an auerment that he myghte haue retourned greater issues, yf the defendaunte make defaute, or that Jurrours by the statute of.i.E.iii.

Capi. b. And Justicers of the peace muste enquyre yf the Bayllyffes haue done theyr office in that poynt.

¶ Also they muste enquyre yf bayllyffes of lyberties which be keepers of any Gayle, enforce any of their prisonners to be appellours to the entente to haue a fyne of the partyes appeled for doute of imprisonment. i. Edward. tercii. Capitulo. xii.

¶ Bayllyffes of lybertyes whyche take inditementes in their tournes, or other where, ought to take them by indenture, wherof the one partye shal remayne with the inditours, and the other with the bayllyffe. ii. Edwardi. iii. Capitulo. xii.

☞ None shalbe made Bayllyffe of lybertye, except he haue sufficient lande in the place where he is minister, to make answere to the kynge and hys people. iiii. Edwardi. iii. Capitulo. ix.

¶ Bayllyffes of liberties which be

Gaylours

Gaylours, and haue the keping of pryſons ought to receyue and falſely kepe al theues deliuered to them by the Conſtables of the townes, be ynge inoited, taken with the maner, or appealed of felonye wythout takyng ought. iiii. Edwar. iii. Cap. x.

¶ Bayliffes of liberties muſt receyue ſuche perſones as be arreſted in theyr fraunchyſe by the Conſtables, for ſuſpicion of felonye, that wal be in the countrey by nyghte, or be of euyl name, and ſhal kepe them in pryſon vntyl the commyng of the Juſtices of Gayle delyuere, and in the meane tyme the Bailliffes muſt enquyre of them. v. Edwar. iii. Cap. xiiii.

¶ Bayliffes of liberties, cõſtables and other officers of townes where loyterers and vacabounde ſeruyte haue power to examyne thẽ diligently, and compel them to fynde ſuerty by ſufficient mayntenours beynge

dyſtreynable of theyr good behauioure. And yf any defaute be founden in the ſame loyterers and vacabundes, and can nat fynde ſuerty, they ſhalbe ſent to the next Gayle ther to remayne vntyl the comming of the Juſticers of Gayle deliuery which maye do wyth them as they ſhall thynke beſt by the courſe of the lawe vii. Richardi ſecundi. Capitulo. v.

No ſeruaunte or labourer at the ende of his terme ſhal depart out of the hundred or Rape where he is dwellyng, to dwel any other where onles he bring a letter patente conteynyng the cauſe of his goynge, vnder the kynges ſeale therto aſſigned. And yf anye ſeruaunte labourer be founde vagerant without ſuch letter, he ſhalbe taken forthwith by the ſhyriffes, Mayres, Bayliffes, or other officers, and put in ſtockes vntyl he fynde ſurety of retourne to the towne to ſerue from whence he

came

same, vntyl he haue such a letter to depart for cause reasonable. xii. Richardi ii. Capitulo. iii.

The Bayliffes of liberties haue power to arrest seruauntes & labourers that weare daggers, swerdes & knyues, and them to seace & kepe vntyl the sessions of the peace, & the weapons to present to ỹ Justices there, with the names of them that beare them, & the weapons shalbe forfaite, except they be trauelinge in the cõtre with their maisters, or in their bandes or busynes. xii. Ri. ii. Cap. di

Shiriffes and bayliffes of lyberties in their liberties, are bounden to arrepue seruauntes & labourers beggyng and vagarant, & them to deteyne in prison without bayle, vntyl they can fynde of any seruice or other thyng of their own, & their enter or departynge be them seruices or by their deputyes vpon payne of C. shyllinges to the kynge. xii. Ri. ii. Capi. iii.

Bayllyffes of liberties to whome the keping of the assyse of bread and ale, and the correction of the same belongeth, shal take no amerciamēt nor fyne for no defaute touching the said assyse for which the offendoure ought by the lawe to haue corporal penaunce but they shall adiudge them to the same penaunce. And Bayllyffes of liberties, and al other that haue the keppynge and ouersyght of vytayles shall put in due execucion the statute made in the .xxiii. yere of Edwarde the thyrde, whiche begynneth, Quia maiores populis.

xiii. Rō. Capitulo. viii.

Bouchers, Fyshers, Hostelleres, Brewars, Bakers, Pulters, and al other sellers of vitayles are bounde to sell suche maner of vitayles at a resonable pryce, hauing regarde to the pryce what at such vitayles are solde at other places nere, so that they may haue a competente gayne and

nat

nat excessiue accordyng as by the dystance of the places (from whence the vitayles are caryed) they shall thynke reasonable to be enquyred. And yf any sell vitayles in anye other maner, and therof be conuict, he shal pay the double of that he hath receyued to the party endamaged, or in his defaute to any other ỹ wyl sue therfore. And Mayres & baylifes of townes. &c. haue power to enquyre of al such as offende agaynste this ordinaūce in any poynt. And in case that the same Mayres, & Baylifes be necligent in doyng execucion of the premisses, and therupon be conuicted by the Justicers assygned by vs, they shalbe compelled by the same Justicers to restore the treble value of the thyng solde to the partye greued, or to any other ỹ in hys defaute wyll sue, and neuertheles shalbe greuously punysshed agaynste vs. xxii. Edwardi. iii. Capitulo. vi.

No

¶ No ſtewarde, Bayllyf, nor other mini∫ters of lordes of fraunchyſes whych haue retourne of wryttes ſhalbe attourney to any perſon in any matter wythin the ſame fraunchyſe or bayliwyke where he is officer at any manet of time. iiii. Henrici. iiii. Capi. xix.

If any heynous ryotte be made, the Juſticers of the peace & the ſhiryf or vnderſhirif ought to do theyr office accordyng to the eſtatute made xxiii. H. iiii. And if thei do nat at the ſute of the party greued a cõmiſſion ſhal go forth to enquyre therof, and of the default of the Juſticers, and the ſhyryf and the Coroner ſhal ſerue the proceſſe, and he muſte retourne perſons that haue lãd to the yerely value of. x. li. and ſhal retourne alſo xx. s. in iſſues at the fyrſt daye, and xl. s. at the ſeconde daye, and at the thyrde daye. C. s. and ſo double it at euery daye after. And yf defaute be in

be in the Coroner in returning the iſ
ſues, or of perſons of ſuch lande, he
ſhal leſe.xl.li. And yf the old ſhyryf
be dyſcharged, the new ſhyryf ſhall
ſerue the proceſſe, and not the Coro-
ner, vpon peyne of.xl.li. yf ỹ defaute
be founden in hym, touchynge the
tourne of other perſons by him enpa
nelled which haue not lades to the
yerely value of.x.li. or to returne
ſuch iſſues as the Coroners be char
ged with. And Bayliffes of liberti-
es are bounden for to impanel ſuffi
cient perſons, as aboue is ſaid, vp-
pon peyne to leſe. xl.li. in caſe that
ſuch perſons may be founde within
his Bayliwike. ii. Hen. viii. cap. viii.

¶ Baylyffes of fraunchyſes
oughte to make theyr retournes,
and aunſwere vnto the Shyryffe
vppon hys precept made vnto them
in a ſpecyall wryte of aſſyſe fyxe
dayes before the day of the ſeſſions
vpon peyne to forfayte forty pounde
for

for euery tyme that they shal do the contrary. vi. Henrici sexti. Capitulo secundo.

Where a precept is made to the shyryffe by Justicers of the peace to retourne a panel toenquire of forcyble enter, and he sendeth his precept to the Baylif of the libertye to returne the panell because the ryotte was done within the lybertie, now is the Baylif bounden to make due retourne and execution of the precepts to hym directed vpon peyne of xl. li. for euery defaute. And the estatute wyl that the shyryffe shall retourne. xx. s. m tlues vpō euery Jurrour at the fyrst day, and that euery Jurrour which shal passe in the inquyre, shal spende. xl. s. yerely, wherby it semeth that Bayliffes of lyberties are bounden to do likewyse, yf so many of the sayd Jurrours be within his lyberty, for els he is nat viii. Henrici. vi. Capitulo. ix.

Baillyffes

Bayliffes of lyberties in attaintes vpon plee of lande of the yerely value of.xl.s. or more, nor in attaintes for dedes concerning landes of like value, nor in attayntes vppon personal accions wherin the recouery extendeth vnto.xl.li. or more, shal nat retourne or impanell anye persõs in such enquestes, but those that be dwelig within his Baillewike, and that haue estate to theyr owne vse in lãdes or tenementes for terme of lyfe to the yerely value of twenty poũde or more, within his baillywyke out of auncient demesne and the fyue portes. And at the first day of the distresse retourned, shall retourne no lesse yssues in suche actions of attaint than.xl.s. and at the seconde distres.C.s. And the double of euery other distres vpon the persons so impanelled and retourned. And yf he do the contrarye, he shall paye.x.li. to the kynge and asmuche

to the party. li. Henrici ſexti. Capi-
lo quinto.

¶ Bayllyffes and other the kinges officers may arreſt thoſe ſouldiours that come from the ſee, & ſhewe nat letters, teſtimonyals frō their captaynes ẏ they haue lycenced them. And they ſhal kepe them vntil they haue enquyred whether that they haue licence or nat, and yf they haue no ſuche lycence, then ſhall they be punyſſhed as felons. xvii. Hen. vi. Capitulo. xix.

No Bayllyf of a lybertie (vpon any precept to him directed to retourne the panel of any enqueſt ſhal in the ſame retourne any Bayllyffes, offycers or ſeruaūtes to any officers aboueſaid, nor ſhal take any thing by them ſelfe, or by other of any perſon by them arreſted or attached to their own vſe or auayle, nor of any other pſon for any arreſt or attachemet by the body made by them, or ẏ is arreſted

ted by vertue of their office, for fine, fee, fuyte of prylon, maynprys, letting to bayle, of shewing of any eale or fauour to any perlon lo beyng arrested for their rewarde or profyte, but as is here lymitted, that is to wyt for the fhyryf. xx. d. the Bayllif that maketh the arreft. iiii. d. and to the gaylour, yf the prilloner be comted to him, iiii. d. And no Bayllyf of any liberty, nor Coroner by him self nor by others by colours of hys office fhal take any thing for the making of retourne or panell, and for the coppye of a panel but. iiii. d. Alfo Bayliffes of liberties fhal let oute of prylon al perlons by the arrefted or beyng in theyr keping by force of any bylle, wrytte, or warrant in any action perlonal, or by force of any inditement of trelpas, vppon reasonable luertye haupnge lufficiente wythin the Baylewyke, where they be let to bayle, to kepe theyr

bayes in the same places as ỳ same bylle, wrytte, or warrant shall enquyre those only excepted, which be in warde vpon any condempnacion, or be excomunicate, or outlawed, or arrested vpon suerty of the peace, & vagarauntes that refuse to serue. And that the said Baylyffes shal nat take any obligacion of any person, nor by any person beyng in their warde by course of the lawe, for any the causes aboue rehersed, but in the name of theyr offyce, and vpon the condicion that the same person shal appeare at the daies conteyned in the said wrytte, bylles, or warranties, and in suche places as they requyre. And yf any baillyffe take any obligacion in any other fourme by coloure of his offyces, it shalbe voyde, & that he shal take no more for the makyng of any such obligacion, warrantye, or precept by them to be made, but. iiii. D. And yf they

do contrary vnto this ordynaunce in any poynt, for so doyng they shal rẽder to the party greued his damages treble, and shal forfait for euery tyme that they do the contrary. xl. li the one halfe wherof shalbe to hym that wyll sue in any of the kynges courtes therfore. &c. xxiii. Henrici. sexti. Capitulo decimo.

Baylliffes of liberties ought not to seafe the goodes of any person arrested or imprysoned for felonye before that they shalbe conuycted or attaynted of the same felony, according to the lawe, or els that ỹ same goodes be otherwyse forfayted, vpon payne to forfayte the double value of the goodes so taken, vnto the partyes endamaged, suynge therefore by action of dette, wherein no wager of lawe, essoyne, nor protection shal in any wyse be allowed to the defendaunt. Primo Richardi secundo Capitulo tercio.

¶ Bayllyffes of liberties that be Gaylers, and haue the kepynge of gayles, shal certify the names of euery pryſoner in his Gayle that is ther for felony, at the next generall Gayle deliuere in euery countye or fraunchyſe (wher ſuche gayle is) to be kalendred before the Justicers of the ſame gayle deliuere, vpon peine to forfayt for euery default there recorded. C. s. An. iii. Henrici, vii. Capitulo. iii.

Al Bayllyffes, & other hed offycers, and euery of them fyndynge or knowing any perſon vſyng or exercityng any vnlawful games contrary to the ſtatutes, haue power to cõmit euery ſuch offendour to warde, and ther to remayne in pryſon wyth out bayle, or mainpryſe, tyll ſuche tyme as he be bounde by obligacion in ſuch ſum, as by diſcrecio of him y taketh the bounde ſemeth reaſonable, to the kinges vſe, that he ſhall

play

play no more. An. vi. H. viii. Cap. ii.

All statutes made against shyryfes, vndershyryffes, Baylyffes, or other ministers for makynge or retournyng of panels, or Juries, or for due execucion of seruyng of writtes, or other proces, or for takyng of fees, or for the reformacion of extorcions, or for any other thing concernyng theyr office, and al paynes conteyned in euery such estatute, shalbe extended to all Stewardes, Baylyfes and other ministers, and officers of lybertyes and fraunchyses hauynge retourne of writtes, and execucion therof in lyke maner as they extende to shyrifes, theyr vnder shyryffes, Baylyffes nor other ministres, sauynge that the Baylyfes, and officers of lyberties maye occuppye theyr offices for as longe tyme as they shalbe gyuen vnto them. An. xxvii. Henrici octaui. Capitulo. xxiii.

¶ The office of Eschea-tours.

YE shal enquyre of Eschetours, if they haue duely executed theyr office, and yf they haue taken anye moze foz doynge thereof, then they ought, oz if they haue committed and done any extozcion, oz oppzession vnto the kynges people by colour of their office. And therefoze ye shal vnderstande, that no Eschetour ought to medle oz enquyre foz the king, but in case where the kyng of right ought to be entytled and haue the lande oz thing that is founde foz hym by the enquest, foz if one holde of the kynge as of his duchie of Lancaster by knyghtes seruyce, and dye, his heyze beyng within age, the kynge ought to haue the warde of the heyze, and the lande. And yet in that case yf the Eschetours

toure fynde it by office, he shal haue nothi[n]g for the fynding therof, because the tenant helde not of ỹ king in chiefe as of his crowne. And therfore the kyng maye enter and seaſe the lande and the heyre without office, & may graũt it. In like maner yf the Escheatoure fynde by office that one dyed, seased and helde of other lordes, and not of the kyng by knyghtes seruyce, & that he is dead and his heyre within age. The Escheatour shal demaunde nothyng of right, for fynding of suche an office. And so yf he fynde an office that one died seased of such a manour in fee, and helde of the king as of suche an honour or Castell by knyghtes seruice, and his heyre within age: yet ought not the Escheatour to haue any fee or duety for ỹ findyng of that office, and yf he take any thyng therfore, it is extorcion, which is wel proued by a writte of (diem clausit ex-

tremum the wordes wherof be these Quia Georgius Ferqui de nobis tenuit in capite die quo obiit, dem clausit extremum vt acceptimus, deo tibi precepimus. &c.

Whereby it appeareth that yf one holde not of the king in chefe, the Eschetour ought not to haue ỹ fee of forty shyllynges for fyndynge of the office. And yf he take it in that behalfe, it is extorcion.

And in assise if the defendant say that the landes are seased into the kynges handes by the Eschetour, & the Escheatour beyng there present and examined by the Justices there vpon do confesse that he hath seased the landes into the kynges handes, wherin dede he hath nat so done: in this case the Eschetour doth wrong to ỹ plaintyfe, whiche may haue no accion vpon his case agaynste ỹ Eschetour for his falsed, & for the delay that he hath sustayned through

that

that confession by suynge to ꝑ king
for a (Procedendo.)

None shalbe Subeschetour onles
he haue sufficient lādes in thoseplā
ces where he is officer to answer to
the kynge & his people, in case that
any wyl complayne against them.
Anno quarto Edwardi tercii. Capi.
nono. Anno. v. eiusdem. Capitu. iiii.

¶ The Escheatours shalbe chosen e
uery yere, as the Shirif shalbe, &
by the same persons that chose the
Shyryffes. And that no Eschea-
toure shall abyde in hys office a-
boue one yeare. Anno. viii. Edwardi
iii. Capitulo iiii.

The Escheatour shal not do wast in
Bishopprykes, and other places du-
ring the vacacion of them, neyther
shal set vnder woddes, nor chase in
barkes or waarēs, nor fysh in pōdes
or fre fysshinges, nor may take no fi
nes of any tenemētes free nor hōd but
shal cause thē to be kept and saued

with

without doyng damage or any maner of oppression. An. xviiii. Edwar. tercii. Capitulo quarto.

¶ So by this estatute it appeareth that it appertayneth to the office of an Escheatour to sease the temporalytes of Archebysh opprykes, Bysh oprykes and Abbeyes of the king in foundacion during the vacacion of the same, & to take the profytes, and to accompte for them to ỹ kyng in the Escheker: Howe be it ther is an other estatute made in the same yere, the effect wherof is, that if the Deane and chap. Priour, or Supprior, wyll take temporalties to ferme, paying the value accordynge to the remembraũces in the Escheker, that they shal haue them before any other. And by an other estatute made the same yere. Capitulo quinto, the Chauncelour, Treasorer of the Escheker, takyng to them suche other of the Councell, as they shall

thynke

thynke good, shal lease the vacacions of Archebyshoprykes, Bysshoprykes, Abbeyes, priories, and other houses of religyon (thaduoydance wherof belong to the king) the Dean and chapiter, Priour, or Suppriour, Priores, or Suppriores, and Couent at a certayne rent to pay by the yere, quarter, or moneth, during the vacacions as they shall thynke best, without makynge fyne. And neyther the Escheatour, nor anye other officer shal seke cause or matter, to enter, or to medle, or do anye thing in preiudice of the church. Saunynge to the kynge and his heyres, knyghtes fees, aduousons, Escheates, Wardes, Mariages, Reliefes, & seruyces to the said fees belõgyng. In wytnes wherof the king caused hys letters, patentes to be made therof, dated at Westminster the eight day of Apryl ỹ yere aboue mencioned, wherby it appereth that

the

thautozity afozesayd to make leas-
les was geuen to the Chaunceler, &
the Treasozer by the kinges letters
patentes. &c. An. xiiii. Ed. iii. Cap. vi.
☞ Thescheetours and other the kin-
ges ministers must accompt in thes
cheker after this maner, that is of
landes and tenementes, wherof pzo
fyt ariseth frō time to time thzough
out the yeare as of Mylnes, herba-
ges, tolle, plees, pzofites of courtes,
oz suche other issues and pzofytes,
they shalbe bounden to answere the
kyng foz the rate & value of ỹ tyme
accozdyng to the olde course of thes-
cheker. And touching auncient fer-
mes and rentes, that are to be paide
at certain termes as rēt Secke, and
rent Seruice, wherof nopzofite ari-
seth vntyl the day of payment. such
rentes and fermes shalbe payde vn
to theym that haue lyuere thereof
out of the Kynges hande at the ter-
mes of payment of the sayd fermes

and

& reutes next folowing such leuers made aswel for the tyme passed as ỹ time to cum. an. xxviii. E. iii. ca. iiii

The kyng and his progenatours haue bene sealed of forayntoures of wardes, tyme out of mynde, that is as well of landes and possessions, as of goodes and cattelles. And by colour therof theschetours by their office haue sealed many landes, and tenementes, as forsaytes to ỹ king surmisynge treason in some persons beynge deade at the tyme of the sea ser, whyche neuer were attaynted in theyr lyues, the kynge hathe ordeyned touchynge suche forfaitures that fell in the tyme of hys graundefather or before, that so sone as aninquest therof shalbe retourned into the Chauncery by any Eschetour or other ỹ hathe power to enquyre therof, the tenaunce shal not be putte out of possession, but shalbe warned by a Scire facias

to

to appeare at a certayne day for to answere vnto the same, yf he wyll. And yf no such forfaitour be founde the kynges hande shalbe closed, so that in al other cases of forfaitures of treson by persons deceased nat attaynted, nor iudged in theyr liues, theyr heyres, nor lande, tenantes shal nat be chalenged, nor empeched of any other forfaitures, but of those onely that haue bene iudged in time passed afore the death of certain persons, by presentment in Eyre, or in the kynges benche as of felons of the kynge, and other. And therefore it semeth that yf one moue warre agaynst the kynge in his realme, and is slayne in the same, the the Eschea tour maye seace the landes and tenementes, as forfayture of warre without any other enquerye to be made therof.

Euery Escheatour must take his enquestes of office of good & lawful men

men sufficient of enheritaunce, and of good fame, and of the same county where the enquyze shalbe made. And the enquestes shalbe endented betweye theschetours and the Jureours, and yf it be otherwyse done, they shalbe voyde, and they shalbe taken in good townes openly.

¶ Trauerse may be taken to theschetours office, wherby any alienacion or dyenge seased, or that ỹ heire is within age, and the lande holden of the kyng in chyefe is founde.

¶ Landes seased into the kinges hades by reason of warde, shalbe kept without waste. And theschetours shal haue no fee of vention, fysh, nor other thyng, but shal answere the kynge of the issues, and yerely presyters arreysynge of the said landes without waste. And yf he do otherwyse, then to make fyne at the kynges wyll, and to paye treble damages at the suyt of the heyze, as

wel within age, as of full age. And yf he be within age, his fredes shal haue the suite of him answering to the heyre of that, that so shalbe recouered of him. Concerning other landes seased into the kinges hādes by enquest of office by theschetour this forsaid ordinaunce and punishmēt shall holde place againste theschetour. And yf any make clayme to lādes so beynge seased, theschetoure shall retourne an enqueste into the Chauncery within one moneth after such seasor, so that a writ be deliuered to hym, to certifye the cause of the seasor; and there shal the partye be harde to trauerse the office, or otherwyse to shewe his ryghte. And the Chauncelloure vppon hys owne discretion yf he se cause, may lesse the landes to the tenaunte payenge to the kynge the value, yf it belonge to the kynge so that he fynde sureties that he shall do no

wast vntyll it be adiuged. And the Escheatours shall take theyr Enquestes in good townes, and by honest men openly by endenture to be made betwene the escheatour & them of the enquest. And if he do contrary to this ordinaunce, then to haue two yere imprysonment, and further to make fyne at the kynges pleasure, An. xxv. Edwardi. iii. Capi. xvii.

None shalbe Escheatour if he haue nat. xx. li. lande at the least or more in fee, & that they execute their office in proper person. And yf he be otherwyse, then to be put out, wherby it appeareth that the Subescheatour can nat enquyre, nor fynde office. An. xli. Edwardi. iii. Capitulo. v.

¶ Escheatours nor commissioners, shall not take enquest, but by those that be empanelled, and returned by the Shyryfe, and yf they do otherwyse, and be conuycte by examinacion or otherwise at the

ſuyte of the party, or of the kyng, or any other perſon that wyl ſue, they ſhall incurre the peyne of. rl. li. the moyte to hym at whoſe ſuyte they ſhalbe conuict. And that no landes ſeaſed into the kynges hãdes ſhal be let to ferme by the Chauncelour, vntyl the enqueſt and verdytes be retourned into the chauncerye, and by one moneth after the ſame retourne, except it be to the party greued which was put out of thoſe landes by the enqueſtes, and wyl offer to trauerſe them, and ſhewe good euydence, and kynde ſufficient ſuerty to ſue his trauerſe with effecte, and to pay to the kynge the yearely value of the landes, yf it haue to be diſcuſſed for the kynge. And yf any letters patentes of any landes or tenementes of the contrary be made to any other perſon then to hym that offereth to trauerſe, or be let to ferme within a moneth next to ỹ ſayd moneth

neth of retourne they ſhalbe voyd, and holden for none. Anno. viii. Henrici. vi. Capitulo. xix.

¶ Eſcheatours and Commiſſioners ſhal retourne the enqueſtes taken before them into the chauncery, or in the eſchequer within one moneth next after the takyng of the ſame, vpon payne of. xx. li. the one moyte to the kynge, the other to him that wyll ſue An. viii. Hen. vi. Capitulo. xix.

¶ And yf any Eſcheatour take any office before him, & do not retourne the ſame into the Chauncery or the eſ cheker, within the moneth next after the takynge therof, he ſhall incurre the peyne of. xl. li. forfayte by the ſtatute made. Anno. viii. Henri. vi. and further ſhalbe bounden to pay to the kinge as muche as he is endamaged by the, not retournyng of the ſame. And that the Chauncelloure of Englande callynge to hym the treaſourer of Englande maye

leaſe ſuch fermes for the due execu-
cion of the ſaid eſtature. Neuerthe-
leſſe it appeareth that the ſame eſ-
tature geueth but.xx.li. of forfayt a
gainſt the eſcheatour or commiſſioner.
Therfore ſerche for the true recorde
of bothe the ſtatutes. An.xviii. Hen
rici.vi. Capitulo ſeptimo.

¶ Eſcheatours muſt take theyr en-
queſtes of office by vertue of ỹ writs
of diem clauſit extremum) and al other
wrytes within one moneth after
the receyte of the ſame, and that
ſuche enqueſtes be taken in good
townes and open places. And that
none of them pryuely nor openly by
him ſelfe or by other take any thing
for the execution of ſuche wrytes
in one countye aboue the ſumme of
vi.s.viii.d. or.xiii.s.iiii.d. or vnder
with his laboure and his coſtes ſo
that the ſumme that he hathe ta-
ken all together, excede not aboue.
xl.s. for the execution of anye ſuche

writ

wrytte in one countye. And yf he do contrary to the premisses, then to forfayte the summe of.xl.li, the moytie to him that wyl sue for the kynge, and him selfe. Anno.xxiii. Henrici. sexti Capitulo.xvii.

¶ None shalbe Escheatoure, yf he haue not landes, or tenementes to the value of.xx.li. within the countye for terme of lyfe, nor in the county where he is Escheatour. Nor no Escheatour shall let hys office to ferme, nor make deputie (other then he wyll at his parel aunswere for) whose name he must certifye by his letters patentes to the Tresorer, & Barons of Thescheker for ỹ tyme beyng within.xx. dayes after suche deputacio made. And that no suche deputye take vpon hym to occuppe in the sayde office onles thescheatoure haue landes, tenementes, or rētes to the yerely value of.xx.li. as before is said. And if any pson do cō-

trary to the premisses or any of thē, then to forfayte for euery defaut.xl. li. the one moytie to him that wyll sue, and the other to the vse of the kynges house by actiō of det, where no wager of lawe, essoygne, or protection shal lye. Anno.xii.Edwardi. iiii.Capitulo.ix.

No shyryf, Escheatour, nor other person shal seace or take the goodes of any person arrested, or imprisoned for felony before that the same person so arrested or imprisoned be conuict, or attaynted of the same felony according to the law of Englād, or that ỹ same goodes shalbe other wyse forfayted, vpon peyne to forfayt the double value of the goodes taken to the party damaged suynge therfore by accion of det, where no wager of law essoyne, nor protectiō shall lye. Anno.primo.Ri.iii. cap.iii.

If any Escheatour or Commissio nar put into any of the kinges cour-

tes

tes any enquisicion or office concernyng landes, or tenemētes, or other hereditamentes, not founde nor presented by othes of the. xii. men, and endented, and by them sealed, then to forfayt for euery such offence returned, and put into any of ỹ kynges courtes one. C. li. to the partye greued. An. iii. H. viii. Capi. secundo.

No Escheatour nor other Commissioner shall set by vertue of any Commission to enquyre of landes and tenementes, except he haue landes or tenementes, or hereditament to the yerely value of. xl. marke ouer al charges, vpon peyne of. xx. li. ¶ The Escheatours, and Commissioners shalbe dyscharged by theyr othes that they maye not dispende forthe Markes ouer all charges, and that vppon proces made agaynste them oute of the Escheaker. The Escheatours and Commissyoners shall sette in open places

and shall suffer euery person to geue euydence openly in theyr presence to the enquest taken before the vpon payne of twenty pounde.

¶ The Jury shall receyue the counterpayne of the indenture that shalbe presented, endented, and sealed by the Escheatour or Commissioner, and to rest in the possession of ỹ fyrst man that was sworne in the same Jurye vpon payne of euery person that shalbe sworne. xx. shyllynges.

And euery Escheatour and Commissioner after that the Jurye is sworne and redy to gyue theyr verdyte, and offer to present the same, that the same Escheatours or Commissioners, or parte of them shal receyue the same verdit without further delay vppon payne of a. C. li. and deliuer the counterpayne of the same indenture to the Jurye in fourme beforesayde vppon the same payne.

And

And yf the Clerke of the petyt bag or his deputy wyll not receyue such officers, and put it into the files to remayne of recorde within .iii. dayes after it be receyued or offred to be receyued, he to forfait for euery such defaut .xl. li. And the Commissioner, and Escheatour to be discharged of the penalty of fortye. li. lymitted by the statute for none returning of the same offices, or enquisicion within one moneth.

And lyke lawe and penalty to be agaynst the officers in the Kynges Escheker whiche ought to receyue such enquisicion, for refusynge so to receyue them. And the commissioners, and Eschetours to be discharged of the penalty for none returning of the same enquisicion, so that the sayd Eschetours or commissioners at any tyme after ỹ moneth of such office before thē found or before any of thē within an other moneth

then nert enſuynge, returne the ſaid office into the Chauncery, or Eſcheker, as the caſe ſhal requyre. And the clerke of the petie bagge to certifye the tranſcript of euery ſuch office taken before any Commiſſioner, or Eſcheatour, into the Eſcheker the nert terme folowing the reſceyt therof, vppon payne of forty ſhillynges for euery ſuch defaute.

And no man be compelled to occupy the office of Eſcheatour by anye patent ouer one hole yeare, and that he that is ones Eſchetour ſhal nat be Eſchetour again within .iii. yeares next after ỹ ſaid hole yere ended

If any Eſcheatour exercyſe hys office by reaſon of any patente ouer the time of an hole yeare ended, or be made Eſchetour within thre yeares after: then after the ſayde hole yeare ended his patente ſo made to be voyde, and the party greued ſhal haue his recouery of euery of ỹ ſaid

for

forfaytures of one hundreth. li. by action of det, wher no waget of law essoyne nor protectiō to be allowed. There be dyuers prouicions made for diuers Escheteurs in Cities and Borroughes, and in diuers counties.

And yf the landes or tenementes of any man be sealed into the kynges hande by vertue of anye office founde before the Escheteur, or Cōmissioner, or by reason of any other recorde founde in the chauncery, or the eschekker, and he that so is put out of his landes by reason of suche recorde, or office so founden come & trauerse that recorde or office, and it is founde for hym: wherupon he hath his iudgemente that the kynges handes be closed and amoued, now yf it so be that ther be another recorde or office founde remaynynge amongest ȳ kynges recordes which is nat trauersed nor cryed, yet shall not the escheteure seale the landes

landes again into the kynges hau-
des by reason of that recorde being
founde and nat trauersed. And yf he
do, then dothe he wronge and extor-
cion, and the partye that is put out
shal haue assyse against him, & shal
recouer double damages agaynste
hym. But in this case ỹ king must
sue a Scire facias against hym ỹ
hath the landes out of hys handes,
vpon this other record or office that
was nat trauersed before. This is
gyuen by the statute Lincolne cal-
led the statute of Escheatours. An.
xiy. Edwardi. ii.

And yf Thescheatour by colour of
his office without warrãt or aucto
ritie of the lawe that belongeth to
his office disseyse anye man of hys
landes or tenementes, ỹ party that
is disseysed, shall haue an assyse of
Nouell disseyson, and shall recouer
double damages agaynst theschea-
toure. Westminster. i. Capitu. xxvi.

Theschea-

¶ The Escheatours hath no power to amercy any man that appeareth before hym, and myssemeaneth himselfe, or yf the Jurrours that be somoned appeare before do make defaute, he shal record such thynges in his rolle and shall nat amercye the Jurrours, but he shal sende the same record to the Justices in Eyre, or to the Justices of Assyse, whyen they come into the countrey.

It shalbe lefull to the shyrisse, Justice of peace, and Escheatoures to seale to the kynges use al such goodes and catteiles, that suche persons as come within this realme that be called Egipcians haue, and therefore to make accompte to the kyng in his Escheker, & to retayne and kepe the moytye therof to hys owne vse and accompte for the residue, and to paye no fees for the accompt nor for his discharge therof.

The office of Constables.

For

FOr as much as the office of a Cõstable was an office at the common law of longe continaunce, and was first ordeined for the conuersacion of the kynges peace to be had and kept in euery towne amonge the kynges subiectes there dwelling somwhat shalbe spoken. And how far forth their power doth extende, and what penalties are prouided againste them, for nat executing their offyces.

Who were conseruatoures of the peace at the common lawe.

IT is now to be sene for the cõseruacio of the peace, what persons by the cõmon law had auctorite therin, before the making of ỳ estatutes whereby the Justices of the peace are ordeyned. And it semeth that by ỳ common law dyuers persons were cõseruatoures of ỳ peace, for at the common lawe there was

one

one person whiche is called thyefe Justice of England, to whom the king comytted his auctorite in the mynistracion of Justice for thynges touchyng his corone, and for the conseruation of his peace amonge his subiectes throughoute all hys realme. And that is proued by the wyte whith the king sendeth to him that shal holde his place, in the mynistracion of Justice to his subiectes, in the forme aboue sayde throughout all his realme, whereby it doth appeare that the same thief Justice is high conseruatour of the peace, throughout all the counties of England, and in euery parte of the realme where he goeth. Also there be other persons conseruatours of ye peace, throughout the realme, as the Sherewards of England, the Bayliffes, & the Constable of England. Also the Constables of euery towne were, and be kepers of the peace by the comen lawe, likewyse

the highe Constables of hundredes, weapentakes, lathes, or thinges were and be conseruatours of the peace by the comen law within the townes or hundredes, and within their limities. And before the making of the statutes whereby Justiceres of the peace are ordeyned, the king by his commission made conseruatours of the peace in those cōtries and places (wher him thought best to kepe his peace. And the auctorite which conseruatours of the peace had by the common lawe is the same auctorite, ꝙ a Constable of a towne or weapentake hath at this day, the which I shall passe by touche.

If one make assault vpon the constable, the cōstable may defend him & may take him & commyt hym to the gayle, vntil he haue founde sure ty to kepe the peace, thoughe the assault were made vpon him selfe. As

As it appeareth. Mich. quin. H. sep. tim. in the title barre. Muche more then yf a Constable se one making assault vpon a straunge person, he may take him, and commyt him to prison, or to the gayle, vntil he haue founde suerty to kepe the peace.

And yf one man threate an other whereupon he that is threatened cometh to the Constable, and sheweth his matter, and praieth him to compell him that so threatened him to finde suerty: in this case the constables and the partie that is thretened may go, and compel him that so did make such threatning to find suerty to kepe the peace, and yf he will nat, they may commyt hym to warde, vntyll he hath founde such suerty as you may se. Mi. xiiii. Ed. tertii, in the title of Barre.

And yf one be stryken, in parel of death, it is ỹ office of ỹ constable of

the towne to arrest the offendour & to kepe him in prison tyl he be knowen wether the party so strikē will ly ue or dye, or vntyl that he hath founde suerty to appeare before the Justicers of Gayle delyuery, or at such tyme as he shalbe called vpō to appeare before the Justicers at theyr discretion.

And yf one slye for felony it is the office of the Constable of the town to cease his goodes & to kepe them: and yf they happe to be impaired in his keping, he shall aunswere for them to the kynge. ii. Ed. iii. in the Eyre of Northampton. But by the statute made. i. Richardi tercii. cap. iii. that is chaunged. And if felons or murderers be in the towne, and the Cōstable haue knowledge ther of, it is his office and duety to assemble people for to take them. And if one take a felon in the town and bryng him to the Constable to

be

be conueyed to the gayle, the Constables office is to cary him thither and to cause other of the towne to ayde, and assiste him in so doynge.

And note that Constables were ordeyned for two intences, that is to wit, to kepe the peace, & also to repelle felons, to take suerty by obligation of such persons as they shal fynde makynge affrayes.

It apertaineth to the office of the chief Constable of Englād to haue conusaunce of dedes of armes, and contractes touchynge dedes of armes and of war out of the realme, and in lyke maner al thinges touchyng armes within the realme, which can not be determined by the comen law, as it appeareth clerely by the statute made the. xiii. yeare of Richard. ii. Capt. ii.

Also it appeareth by ỹ statute made an. H. 4. cap. xiiii. ỹ al appeale to be made of thinges done out of the

of England shalbe tried and determined before the constable, & Marshal of England for the time being
¶ Also when battayle is ioyned in a writ of right or in appeale, that shal be derained before the constable and Marshal, howbeit the Justices must se ỹ battayle done, because ỹ they be properly Judges therof, & not ỹ constable nor the Marshal.
And the Constables haue many other auctorities aswel by the common law, as by estatutes made, the which you may se there.
In. xii. Ed. iiii. it is said that gardeyns of the peace at the common law, may enquire of congregacions, and vnlawful assembles, and of disseasen with force, but not do entrees with force. But now by the statute, yf one enter with force, or of disseasen with force, or enter peasably, and kepe possessiõ with force, the Justicers of peace maye make

restitution to the partye, and put hym in possession by theyr writt directed to the shyrffe.

Constables in the townes where thei beare office, may arrest me that go or ryde armed in fayres, or market dayes by day or by night, and take their armour as forfeat to the king & imprison them at the kinges pleasure. an. ii. E. tercii. at Northāpton.

The kinges purueyours oughte to make their purueiāce for the kinges house, by the constable, & foure honest mē of the townes wher such purueiaunce shalbe made, without threating. And in presence of the Constables. Tayles shalbe made and sealed with the seales of ỹ takers, betwene the said takers, and the parties of whome ỹ goodes be taken. And yf any taker make hys prise otherwise, it shalbe done ỹ hi as with a theefe. An. xvii. E. iii. ca. i

Constables of townes muste arrest such as passe by nyghte, of whome suspection is had, and deliuer them to the Shiriffe, there to remayne in warde vntyll they be duely deliuered. Also they must arrest such as be called Robberdes men, Wha lers, and Drawe lasches (yf suspec cion be had of awe suche) be it by nyght or daye, and delyuer them to the Shirif, vntil the comming of the Justicers of Gayle delyuere. An. v. Edward. iii. capi. xiii.

It is ordeined that none shal take for thresshyng a quarter of wheat, or corne aboue two pence. ob. & for a quarter of barly, beanes, pees, and otes, i. d. ob. if so much haue bene vsed to be giuen, & in the countrey wher they vse to repe by the sheffe, & thresh by the bushel, ther shal taken no more nor otherwise. And that such labou rers & other seruantes shall make aworke two tymes in the yeare be-

fore

fore Lordes, Stewardes, Bailyfes, and Constables of euery towne, to do and kepe this ordinaūce, and that none of them shall go oute of the towne where they dwelled in winter for to serue in somer (yf he can haue seruice in the same town) sauing to the foure of the countyes of Stafforde, Darby, Lancaster, Crauen, and the Marches of Wales, their free liberty to laboure in other cōuntries in ỳ time of August. And they that refuse to make such othe, or to performe that thing that they haue swoorne & take vpon thē shalbe put in the stockes by ỳ said Stewardes, Bailiffes, Constables, of townes, by the space of iiii. daies or more, and shalbe sent after to the next gayle, & ther to remayne vntil they wil be ordered, and that there be stockes in euery towne for ỳ same intent. And the Stewardes, Bayliffes, and Constables shall make

of the before Justicers assigned to en
quyre diligently of all them that of
fende against this ordinaunce, & to
certify theyr names before ỹ same
Justicers when they shal come in-
to the countrey, to kepe theyr sessi-
ons, vpō which certificat made the
same Justicers, shal cause them to
be attached by theyr bodies, to ap-
peare before the said Justicers, to
answere vnto such contemptes, so
that yf they be attaynted thei shal
make fine and ransom, & further to
be commaunded to prison vntil thei
haue founde suerty to serue in ma-
ner aboue said. And the Justicers
at euery tyme that they shall come
into the countrey, shall inquire of
Stewardes, Bailiffes, and Consta
bles, wether they haue made good
and lawful certificat, or haue cōn-
cealed ought for any gift, procure-
ment, or affinitie, & shal punish the
by fyne & raunsome, yf they be foūd

gyltye

gyltie. Anno. xiv. Edwardi tercii. Capitulo secundo, and octauo.

Constables of townes where as faytours, or vagaboundes resorte, haue power to examyne theim diligently, and compell them to fynde suerties of their good behauour, by sufficient mainpernours dystreinable in case that any default be foūden in such faytours, & vagaboundes. And yf they can fynde such suerty, then to be sente vnto the 'nexte gayle, there to remayne vnto ỹ cumming of the Justicers of Gayle deliuery, which haue auctoritie to do with such faitours, and vagaboundes as they shall thinke best to be done by the law. Anno primo. Richardi secundi. Cap v.

Constables of Townes maye arrest any seruaunt, labourer cōming to the towne, from any place vagayaūce, onelesse h: haue a letter cōtaining the case of his going, and the tyme

tyme of his retourne, vnder the kin
ges seule, that therto shalbe assig-
ned, and deliuered to the custody of
some honest man of the hundred,
Wapentake, Citie, or Borough
according to the discretion of the
Justicers of peace. And the Consta
ble may put him in the stockes, and
kepe him vntyl he haue founde su-
erty to retourne to his seruyce, or to
serue in the town from whence he
came, vntyl he haue a letter to de-
part vpon cause reasonably. Anno.
xii. Richardi. ii. Capitulo. iii.

Constabels haue power to ar-
rest seruauntes, and labourers that
beare about them haugarde, dag-
ger, or knyfes to seale the said wea
pons as forfait, & thē to kepe vntil
the Sessiōs of ỹ Justices of peace,
before whō they shal present suche
wepōs with the names of thē that
bare them, except that thei trauail
in the countre on theyr maisters mes

sage

tage. Anno xiiii. Richardi secundi, Capitulo sexto.

¶ Shiriffes and other the kynges ministers may take ỹ power of the countrey to expresse assemblies, and ryotes in outragious nombre, and to committ them to prison. An. xvii Richardi secundi. Cap. octauo. It seneth by these wordes the kynges ministers that Constables of townes haue power to ryp so by this act aswel as the shiriffes.

¶ Constables may arrest seruauntes, labourers, and imprison them by the space of vi. dayes, which vse not bowes and arrowes vpō sonne dayes, and such other festiual daies, which will not leaue vtterly all playing at the ball, aswell with hande as with foote and other games called coytes, dyce, castyng of the stone, keyles, al other lyke importune games. Anno. xi. Henrici quarti. Capitu. quarto.

con-

Constables, & al the kinges liege people that are able to trauayle within the county must be assisting and ayding to ỹ Justicers of peace and the shyrif to represse great ryotes, and vnlawefull assembles, vpon payne of imprysonment, & to make fyne and raunsome. Anno. Secundo. Henri. quinti. Capitulo viii.

Constables shalbe made in euery partie of the marches of Wales, & market townes to enquire, serche, and arrest suche persons that carye vitayle or armour to any parte of Wales, without the kinges lettre, which constables shal haue ỹ fyft part of the forfayte for their trauayle. Ibi quar. Hen. iiii. capi. xxvi.

Constables of porte townes wher souldiours that haue bene retained in wages to serue in war beyonde the see, or vpon the see, and departe from their Capitaynes, & tourne backe, and arryue in anye porte of

England

Englande without licence of their Capitayne under his seale) may arrest such souldiours, & kepe them vntyl enquiry be made of them, and yf it maye be proued by enquiry before Justicers of the peace, & proues that they haue mustred of reyorde, and departed from their captayne (as before is sayde, without licence, then they to be punyshed as felons. Anno. xviii. Henrici sexti Capitulo. xix.

The Constables Tithingmen and chiefe pledges of euery towne must assyste and ayde the owners, & sellers of any goodes (where the kinges purueiours wyll make theyr peruciance or bargain of any goodes to the value of. xl. s. or vnder of any person) & wyl not pay suche paiment in hande: in which case it shal be lawful to euery one of the kynges lyeges, to retayne them, and to resyste suche purueyours

and

and nat to suffer eyeim to make a-
ny such puruey aunce. And yf the cons-
stable, Wishing ma, or chiefpledge
be required to ayde or assyste any
man, in making such resistence, and
he refuseth, he shall paye to the par-
tye greued the value of the thynge
so taken by action of debte, with
the damages to the double. Anno
Henrici octaui. Capitulo. viii.

¶ Constables maye arreste puruey-
ours or biers of any lordes or other
person (except purueyours for the
king and Quene) in tyme of warre any
victayle or ransage against the wyll
of the owners, and to commit them
to the next prison and the thynges
there to remayne without bayle or
mainprysse vntyll they haue delyu-
ered all the sayde victayles, or ran-
sage, and other thynges so taken.
And yf the Constables doe otherwyse
when they be required, they
shall forfayte twenty pounde. The

moyetie to be to the party frō whō the goodes were taken, to be recouered by action of det, wherin the defendaunt shal not wage his law Anno xviii. Henrici. vi. Capitu. xiii: ¶ Clothiers shal pay to carders, spinders, and other labourers lawful money for theyr wages, & carders, fullers, and other labourers shal do theyr duety vpon payne of double damages. And the Constables of the hundred, or constable maye heare or determyne the complaintes of euery such clother, and labourer as well for none paymēt of the said wages of labourers, as of the said forfaytours, and damages, by due examinaciō of the partyes in that behalfe, & further for none paymēt of the said dueties for faitures and damages, to commit the trespassours to the next gaile in the same coūty, vntyl the said dueties, forfaitours & damages be due

paied vnto the sayde labourers, or clothiers. An. iiii. Edwardi. iiii. capitulo primo.

¶ Euery highe Constable or petye Constable shal take or cause to be taken, al vagabundes, vyle people, & suspect persons liuing suspectiously, and set them in the stockes, & there to remayne by one day & one nyght and to haue none other sustinaunce but breade and water, and then to auoyde the towne where they were taken, into suche place or hundreth where they wer borne, or wher thei last dwelled by the space of three yeares. And yf eftsones they be taken in suche default then they to be set lykewyse into the stockes by. iii. dayes and three nyghtes wyth lyke diet. An. xix. Henrici septimi. Ca. xii.

¶ Constables and other heade officers, and euery of them fyndynge or knowynge any person vsyng, or exercisyng any vnlawfull games, as

teneys

tenes play, bowles, clalfhe, and al other vnlawfull games prohibited by many statutes shal haue ful power to commit euery such offendour to warde, there to remaine without bayle or mainprise, tyll suche tyme he or they so offending, be bounden by obligatiō to the kinges vse in such some as by discretion of the same officer shalbe thought resonable, that they from thence forth shal nat vse any vnlawful games. An. vi. Hen. viii. Capitulo. ii.

¶ For wages for bote men, and for theyr barges or botes, or for a barge from London to Graues ende. iii. s. or els euery person & hys male. ii. d. from London to Ereth, Grenewich, Grastorroke, or pusflete. xii. pence, or elles for euery person & his ferdel. i. d. so it passe nat. xii. d. From Londō to Woolwich. xiii. d. for a bote or wherye, that is the tyde bote, or els euery person. ob.

From London to Grenewich .iiii.d or elles ob.for euery person, & his fardel. From London brydge, or S. Mary Oueres, or Poules warfe, or Westminster.iii.d.or els euery person a.ob. From the blacke friers, Bridewell, and temple to Westminster, or Lambeth.ii.d.with theyr males, or els euery person ob so that it amount to two. d. From Westminster to Lambeth or Straingate ou.ob.for a bote from London to Wortlake.xii.d.or els euery person two.d.with his male. And frō those place aboue named to Londō for a boate or a barge lyke summes to be pated. And these articles to be kept vpon payne to forfayt treble the fare. And Baliffes, Constables and other the kynges officers next adioyning to the feries, vpon complaint to thē made, or to any of thē by them that be grened in that behalfe may arrest theim and com-

myt theim to warde for theyr mis demeanour, and to make fyne for the same. An. vi. Henrici. viii. Capitulo. vii.

By the statute made. An. xxii. H. viii. How impotent persons shalbe ordered to begge, and haue their liuing. It is ordeyned that yf any impotente persons auctorised to begge, do begge in any other place, then within the limittes to hym alligned, then the Constables, & all other the kinges officers shall by their discrecion punysshe all suche persons by imprisonment in y stockes by the space of .iii. daies and two nightes, giuing them but bred and water, and after that to cause euery suche person to be sworne to returne again without delay to the Hundred, Rape, Citie, Borough, Towne, Wapyshe, or fraunchyse, wherin they be auctorised to begin.

And if any impotent person be ga-

gaest, and go a beggyng, and haue
such letter vnder seale as is speci-
fyed by this statute, then the consta
bles & al other inhabitauntes with
in such Townes or paryshe, shall
cause euery such begger to be take
& brought to ỹ next Justice of peace
or high constable of the hundreth.
And ther vpon the said Justices of
peace or high constable, shal cõmaũd
the said Constables & inhabitãtes
of the townes or paryshe, which shal
bring before him any suche begger,
that they shal strype him naked frõ
the myddle vpward, & cause hym to
be whypped within the town wher
he was taken, or when the same Ju
stices of peace or high cõstable shal
appointe. And yf not, then to com
maunde such begger to be set in the
stockes in the same towne or parish
where he was taken by the space of
three dayes and three nightes to haue
onely breade and water, and theun-

on the said Justices or highe cõstables shall limit a place to the same begger to beg in. And to geue hym a letter vnder seale in fourme before limitted, & to swere him to repayre thither immediatly after his punyshment executed.

And al other persons beyng hole and mighty in bodye that do begge the cõstable of the hundreth, rape or wapentake, wherin suche persons shalbe so taken. And the Justices of peace, or high Cõstable (before whõ they shalbe brought) by their discretions shal cause them to be brought to suche places where they thynke conuenient, and there to be whipped naked throughe the towne or market, & then to be sworne to retourne to the place where he was borne, or where he laste dwelled by the space of three yeares, and to haue a letter vnder the seale witnessynge that he hath bene punyshed.

Also all persons that abiure to any sanctuary wythin this realme, shalbe conueyed therunto by the constables of euery townesship, that is from towne to towne tyl that he come vnto that same sanctuarye whereunto he is abiured in lyke maner and fourme as persons that had abiured this realme, shoulde haue bene conueyed to the next port of the sea, from the place wher thei be abiured vnto the same porte by course of the cõmon law, before the making of this estatute. An. xxii. Henrici octaui. Capitulo. xiii.

Euery fermour or owner of landes tenemẽtes, or hereditamẽtes, wher of the perely value or rẽt amoũteth to. v. pounde, which manureth the same, shal pay to euery persõ which by his diligence, and labour at his own costes taketh any old crowes, and rookes, or choughes, vpon the same landes, tenementes, or hereditamentes

tamente of the yearely value afore
said two pens for euery twelue old
crowes, rokes or choughes, and .i.d
for .vi. and one .ob. for thre old cro-
wes, rokes or choughes. And yf a-
ny fermour or owner, refuse to pay
the said money, accordynge as is a
foresaid, then vpon complainte and
proofe made therof to any Justice of
peace, or hyghe constable, the same
Justice or hyghe Constable, shall
cause the same money to be leuyed
by distresse of the goodes & cattels
of euery such fermoure or occuppyer
of ỹ same landes and tenementes.
An. xiiii. Henrici. vii. Capitulo. x.

Where it is ordeyned by an esta-
tute made in the .vii. yeare of kyng
Richard the second capitul. ix. that
he which espieth & proueth defau-
tes in any clothes put to sale cõtrari
to ỹ assise therof ordeined touching
clothes, & cõtrari to ỹ said statutes

shoulde haue the thyrd part of euery suche clothe beyng defectyue for his labour by the deliuery of the Shiriffes, if they be present or els of the lordes of fayres & markets, or of ste wardes, Bayliffes or Constables of townes, where such defectyue clothes shalbe founde, by Indenture betwene them to be made, the whiche shall be deliuered euery yeare into the scheker at the feast of saincte Michael, by them that shal make such deliuery, to thintent to charge the Iunagoures, & Coullours, by whō such maner of defaultes ought to be searched and amended. Anno. viii. Richar. ii. Capitulo. ix.

¶ If any person shyppe marchaundise of the Staple in places suspect adioyning to the costes of the water and maketh no indentures thereof betwene hym and the mayre, or constable of the towne, they shalbe forfayte, and the kynge shall haue the

moy-

moytye, and the Lord of the towne, and he that founde and seased suche wares, shall haue the other moyty. And it is lawefull for euery person to serue in these causes. Anno. xiiii. Henrici sexti Capitulo quinto.

¶ It is ordeyned that a horse man shall paye for passage at Douer thre shyllinges, and a foteman. vi. d. and the constable of Douer to punyshe them that do the contrary at ỹ sute of the party that wil complaine, and shall do hym ryght in that behalfe. Anno quarto Edwardi. iii. Capitulo octauo.

¶ The office of the Coroner.

For

For to declare plainlye the office of a Coroner, it appeareth by ỹ Statute of Magna Carta in the .xvij. Chapiter, that no coroner ought to holde anye plees of the Corone. But Bzeton declareth the office of a Coroner in fourme folowynge.

Effyrst that in euery coũtry Coroners shalbe ỹ principal cõseruatoꝛs of ỹ peace to bere recoꝛd of al plees of the Crowne, of abiuracõs vtlageries, & such like. And ỹ Coroners shal make an pche before ỹ shirif in the ful coũty, that they shal make theyr inquestes, enrollemẽtes, and al that to the coroners office appertaineth lawfully, & without askyng allowãce. And yf any felony chaũce oꝛ treasoure be foũde, oꝛ any womã rauished, oꝛ prisõ brokẽ, oꝛ any mã wouñded nighe vnto death, the Coroners (so sone as he shall knowe

therof

theꝛof) shal sende to the Shirik; & Bayliffes of the places) wheꝛ such auẽture shal happẽ) to cause to cum befoꝛe him by a certaine daye at the place (wheꝛ such chaũce befel) foure of the next towne shyppes, & other yf nede be, by whom he shal enquire the verity, & shall compel ỹ towne shyppes to sweare vpon the saintes to shewe the truth of those articles that he shal demaunde of them.

Then shal the Coꝛoner & the Iurrours viewe the body, & the woundes, and the strokes, and immediatly after such view had ỹ body shal be buried. And yf the Coꝛoner finde the body buried befoꝛe his cõming, he shal recoꝛde ỹ same, neuertheles he shal not omyt to digge vp the body, & make it be viewed openlye of the townes. And those Iurrours whyche haue bene somoned, and come not to the inqueries of Coꝛouers, shalbe amercied at the com-

ming

ming of the Justicers at the fyrste assises in those counties, so ỹ fyrste suche defaultis be entred in the Coroners rol, so that the Cozoner shal haue no power to amercy no mã foz any defaute.

And when the enquest is swozne, the Cozoner must enquyze if any person were slayne by felony, oz by misaduenture, and whether the felony were done within a house, oz wythout, and al the circuunstaunce. And after it shalbe enquired who were pzesent at the dede, and who be coulpable of the ayde, fozce commaundement, consent oz receit of such felonies wittingly. And yf the Cozoner haue any suspeccion of the fyrste enquest foz cõcealment of the trueth, oz yf it be nedeful to enquyze better, and by other then shall be enquyze diuerse times, and al such as therof shal happe to be indyted, the Shyriffes shall take in all the haste, yf they

they may be founden, and yf not, the Coroner shal enquyre who they be, and who hath withdrawen theym selues for the occasion. And the shyref shal forthwith cause their lādes to be seased, & afterwarde all their good, and cause theim to be praysed by lawfull inquest, and the goodes with the prices shalbe enrolled in the coroners rolle, and shalbe delyuered to the townesshyppe for to be answerable therefore vnto ỹ kynge in case the party so indyted flye, and wil not stande to ryght.

And after they shal enquyre yf he that is indyted dyd euer fynde suertie to kepe the kynges peace, and ỹ names of his Mainpernours, whiche he shall enter into his rolle.

¶ And yf the plaintyfe wyll sue Appeale wythin the yeare, and the daye, then shall he fynde two sufficient pledges to the Shyrefe of that Countye, distreynable within

the

the same, to sue his appeale accor-
ding to the law of the lād. And the
shal the coroner cause the Appeale
to be entred with the names of the
pledges, & after it shalbe cōmaun-
ded vnto the Seriaunte of the coun
ty wher such felony is done (which
as me semeth is the Shirif or hys
Bailif errant) that he haue the bo-
dy at the nexte countye. And yf the
Seriaunte retourne at the seconde
county that he can nat finde them,
then shal it be awarded that ỹ prin-
cipal beyng appealed of the dede,
shalbe solemplye called to stande
right, touching the same felony, &
so shalbe called from coũty to coũ-
ty, vntil thei come or be outlawed.
And yf the playntyfe make defaute
at any county, then shal therigente
passe vntyll the commynge of the
Justices of the kynges benche, or
the Justices in Eyre, in the county.
And yf the principall be outelawed

the

the exigentes shal go forthwith immediatly against the accessories. And when they shalbe outlawed which drawen or suspected, the Coroner shal enquyre at whose finding such a fugityfe hath bene, and according unto the verdyte he shal enrolle, & the enquyre of the landes and goodes of the fugitiue. And yf they appeare before the outlary, they shal be repleuyable. And yf the felonye were done out of a house, the Coroner shal enquyre who founde ỹ body fyrst, and he shalbe taken and let go under sureties. And that no Iustice be remouyd by challenge of any party. Neyther shall any Coroner take any thing by hym selfe, or by other, nor suffer to be taken by his clerke, for doynge his office. And yf it be founde that any is dead by misaduenture, then shal it be enquyred what misaduenture, as yf it be founde that he fell from a

Wylne it shalbe enquyred what thi
ges were then mouing there, and
how much they be worth, & so if he
fel out of a tart. And yf one fall out
of a shyp, nothing shalbe iudged the
cause of the death but the shyp, and
the thinges that moue therin, & nat
the marchaundyse lying therin.

And the Coroners ought to receiue
the confession of felonyes made by
prouerse in presence of the Shirik,
who shalbe his comptroulour in al
his office, and such confessiō he shal
cause to be enrolled. And when any
person flyeth to a churche, so sone as
the Coroner shall haue knowledge
therof, he shal sende to the Bayliffe
of the place, that he shall cause to
come before hym by a certain daye
the neighboures, and foure of the
next townes shyppes adioynynge to
the churche, and in theyr presence
shal receyue the confession of the fe-
lonye. And yf the fugityue praye to

abiure

abiure the realme, the coroner shal do that the whiche to his office belongeth.

Also he shal enquyre of rape, and all the circumstaunce, the Appeales wherof withal other appeales of robbery, felony, and such like, he shal cause to be entred in his rolle.

¶ Also thei shal enquyre of treasure founden, of wreckes of the sea, and of Sturgeons, and of Whales take, and who wer the takers, whose names they shall enrol, & let them go by mainprysse. And such thinges as shall happen to be founde, they shal safely kepe to the kynges vse. And the Shiriffes, and Baylliffes, shalbe alwayes attendaunte vpon them, and theyr cõmaundementes.

It is ordayned that thrzoughe out al ỹ cõtries of Englande there be chosen sufficient Coroners, of the moste sage & lawfull knyghtes that

maye

may belle to the same office extende whiche lawfully shal attache, and present plees of the Coroner as wel of appeales, as of thinges to ỹ same office belongyng. And that no Coroner demaunde nor take any thing for doynge his office, vpon payne of a greuous forfayture to ỹ kyng, i. Westm. Capit. xii. But now by the statude made. An. i. H. viii. Capi. i. The Coroner shal haue. xiii. s. iiii. d of the goodes of the murderer. And yf the mourder be committed in the day time, and the mouderer escape, the. Coroner shal haue. xiii. s. iiii. d. for the escape vpon the townelshyp.

Also it appeareth by an estatute made in the. xii. yeare of Edwarde the first, which is called the statute of Excester, vnder what order inquisicion shalbe made of the defaultes of Coroners (be they alyue or deade) wher ye shal se the charge that shal be gyuen to the enquestes that shal

be

be charged to enquyre of Coroners, in which charge it appeareth further, what the Coroner ought to do by his office, which charge here ensueth.

The forme of the charge to enquyre of the defautes of Coroners according to the estatute of Excester.

FYrste they shall enquire if the Coroner go in proper person, to do his office, or not, whereby it appeareth that he can not make a deputy.

2 Also yf he haue sent any other to do his office what he was, and how often, and about what aduentures.

3 Also yf he came at euery tyme of his owne good will without delaye, or that he or hys clarke haue taken any thing for the more spedy executynge of theyr office.

Also

iiii Also yf he tary or delay to the entent to haue anye rewarde after that he hath knowledge of ỹ trueth and after that he is sent vnto, how often, and in what place, and vnder what maner.

v Also yf the goodes of felons taken by him, be deliuered to the townes to kepe by a lawfull enquest as they ought to be, and enrolled in hys recorde or not.

vi Also yf the Cozoner take anye thing of any person for take a false inquest for to destroy the ryghte of any, or to praise the goodes for lesse then they be worth.

vii Also yf he enter anything in his rolles, otherwyse then it was giue by the inquest, and what thing he, or his clerke take therfore, and how often, and for what thing he or his clerke take suche thing.

viii Also yf he or his clerke take of the goodes that were praysed, and

prysed

pryled them at leste the they entred them in they? rolles.

ix Also yf the pryses were not assessed by the enquest.

x Also yf the stewardship were falsely charged, and of what thing.

xi Also yf any appeales wer falsely enrolled, or imbesyled out of the rolles, after that they were entred.

xii Also yf he refuse to take any playn of appeale, for poverty, hate, or other lyke cause, & what he toke for the creation, and of whom, and how muche.

xiii Also yf he or hys clarke haue taken ought for the goodes of the party that is deade vpon whose body he calle vieuwe, whose thynge it was, and how often he is dyd.

xiiii Also yf he haue entred all ye tenementes belonging to his office in due maner, or yf he haue made any attachement for to greue any pl[illegible]

[illegible] or to

of to haue of his owne, and enter it into his rolles.

xv. Also yt he haue not done his office at al times at his own costes without taking ought therefore.

xvi. Also yf he haue escaped ought at any courtes, or procured to be murdered, for the greuaunce of any person, and yf he so did, then to enquyre how often, and for what rewarde, and for whom, and in what case he so did.

xvii. Also of all the attachementes hanging, and lawfully receyued he pursued by him as he ought to do for the kinge, or for the partye, or cause to be pursued.

xviii. Also of the goodes of suche as haue fled the townes where they dwelt for suspection of felonye, were attached by him, & prayed by enquest, & enrolled according thereunto, & deliuered vnto the townes (wher those goodes were founden)

to kepe safely vnryll the cõming of the Justicers in Eyre.

xix Also yf he suffre appealles or ther plaintes to him made, to be couyeied away, embeseled, or raised out of the rolles, and if he take ought te for suche faithed, of whome, howe much and how many tymes.

20 Item yf there wer any treasoure founde in the time of the same Cozoner, in what place, and what maner of treasoure, and how much, and in whose handes it resysteth, and by whose delyuerance.

This is the hole charge that Justicers in Eyre must gyue, for to enquyre of Cozoners, and of theyr defaultes. Furthermore Justices in Eire may impanel other inquestes of xxiiii persons of the body of the county to enquyre of the cõcelment of the fyrst enquestes which did enquyre of the defaultes of Cozoners.

When Cozoners haue any know

ledge from the kynges Bailyffes, or other honest men of the countrey for to go vnto suche as be slayne, or sodainly deade, or wounded, or breakers of houses, or to anye place where treasone is said to be founde they must go forthwith, and commaunde foure, fyue, or syxe of ỹ next townshippes, that they be afore thē at such a day and place, and when they shall come, then the Coroner must make enquyre therof, in forme folowing.

Fyrst yf the person wer slayne in house, or in the fylde, in bed or at ỹ tauerne, or where who be gilty ther, eyther of the dede or cōsent. &c. And any be in the courte, which wer theise so that they can speake, or haue any discretion, and they that be foūd gylty by inquest shalbe taken, and deliuered to the Shyryffe. And suche as were presente, and be not gylty shalbe attached vntyl ỹ comminge

mynge of the Justices, and theyr names shalbe writtē in the Coro-ners rolle.

If anye be sodainly slayne in fyl-des, or in the woodes, it is fyrste to be sene wether he were slayne ther or not, and yf he were not slayne there, then as nere as they can, they shal folow the steppes of him yᵗ brought he ꝑ body thither with ꝑ horse, or cart yf it be possible, in case ꝑ murderer be knowen, and yf he be a straūger, thē shal they enquyre wher he was lodged the night before. And tou-ching such as shalbe founden gilty the Coroner shall go immediately to their houses, and enquyre what goodes and landes they haue, and how much they be worth by ꝑ yere. But by the statute of king Ri. the iii. it is ordeyned that the landes, & goodes of such persons shall not be seased vntyl they be attaynted, or o therwise cōuict bycourse of the law

And

And these thinges thus beyng enquyred, the bodyes shalbe buryed incontinent.

¶ Moreouer they muste enquyre of such as be drowned or deade soudainly, and wether they wer drowned or strangled, or slayne, and they must enquyre who wer the finders that they maye be attached. Also they must vieue the length, bredth and depnes of al woundes, & muste enquyre with what weapons, and in what place of the body. And yf the wounde be mortal, the offēdour shalbe kept vntil it be knowen wether the party may be hole. And yf the wounde be great then he shalbe let go vnder foure, or syxe pledges, and yf it be but lyght, then .ii. pledges shal suffice. Also they must enquyre of horse, cartes, & other thinges wherby any were slayne, that they may be preaysed and deliuered, vt supra.

Also they shal enquyre of wrecke of the see, and yf any laye hande vpon it, he shalbe attached by good pledges, and the wrecke shalbe praised, and deliuered to the next towne shyppes. Furthermore hue, and crye shalbe leuyed vppon al manslaughters, burglaries, or when anye is slayne, or in parell of deathe yf it may be. And al shal folow such hue and crye, yf they be able, and they that do nat, shal be attached to appeare before the Justicers. &c.

Also yf anye person flye vnto the church, or other halowed place for murder, felony, or such lyke offece, the Coroner vpó knowledge therof shal come thether and take his confession, and yf he wyll abiure the realme, the Coroner shall receyue his abiuracion, whiche he shal saye in this fourme.

The

¶ The forme of the Abiuracion.

HEare you this Sir Coroner, that I. A. B. am a chief of one horse or other lyke thinge or a manslear of one man or mo) and a felon of our soueraigne lorde kinge Henry the eyght. And forasmuche as I haue committed many euyll deades & felonies, in this realme, I here abiure his lande for euer, & shal make asmuch hast as I can to the hauen of. D. which you haue assigned me, & I shal nat depart out of the highe way, & yf I do, I wyl that I be taken as a theef & felō of the king. And further I shal diligently seke my passage at ỹ place aboue limitted, and I shall nat abyde ther any lenger then on ebbe, and one flood, yf I maye haue passage. And yf I can haue no passage in so muche space, I shall go euerye

daye

day into the see vp to my knees, & assay yf I can get ouer. And yf I can not so do within foury daies cõtinuing. I shal yelde my self again to the churche, as the kinges thief and felone, So helpe me God and holydome.

¶ Neuertheles it semeth ỹ when any pson shal abiure, him behoueth to shew the place, the day, and yere, and in what county he did the felonye, or mourder, whiche confession shalbe as an Indytement in effect notwithstanding if he do it nat but onely as before is expressed it is good ynough, because he is attaynted before by his abiuracion is put out by the estatute of Henrye the eyght made in the twelueth yere of hys raygne, wherby it is ordeyned that suche as wyll abiure, shall make theyr abiuracion from all theyr liberty vnto some sainctuary within this realme, ther to remain

dnrynge

during their lyues, and shalbe burned in the right hande with this letter. A. And yf suche a person afterwarde be taken out of sainctuary, he shalbe ordred in lyke maner as one that hathe abiured the realme before the said estatute. And the same person that so taketh the churche shal make his abiuration, and shal take hys passage from thence at such a day and time as the Cozoner shall appoynte, and shalbe marked vpon the brawen of his thombe on the right hande with aburnyng yron, and shalbe cõueyed to the sainctuary wherunto he is abiured) by the Maires, Baliffes, and Constables, in suche facion as they haue bene wont heretofore had abiured ỹ realme. And if any felon refuse to abiure before the cozoner, he shalbe taken out of the sainctuary, & shal lese ỹ pruiledge therof. And ỹt is the statute of, An. xxi. H. viii. Cap. iii.

Also

Also it is ordained that none that be chosen Coroner of the hathe not lande sufficiente within the same countey for to answere al persons. Anno xiii. Edw. iii. Cap. viii.

And it is further ordeined that al Coroners such as be chosen in ful countye by the commons of the said countye of the moste conuenient and wole persons. Anno xxviii. Edw. iii. Cap. vi.

The Coroner shal enquire vpon the view of the body, if he were slain or dead, of the Murderer if he be taken, and of the Murderer if he escape he is to be amerced. And the Coroner shal enquire of what escape when he enquireth of the death vpon the view of the bodye. And the Coroner shall chalenge for his office all suche issues and fines of the goodes of the murderer. And if he haue no goodes, then to haue his fee of such amercement as shalbe set vpon the head borow for the escape.

And after the murder founde, ꝑ Co
roner shal certify hys inquisicion a
fore the Justicers of ꝑ next general
Gayle delyuery in the countye. And
yf the Coroner be remysse & make
his inquisition vpō the vewe of the
body, and certify nat accordyng as
is aforesaid: then the Coroner for e
very default to forfait one .C.s. An
no. Henrici. vii. Capitulo ꝓmo.

¶ It is ordayned that vpō enquest
to the Coroner to come and inquyre
of any person drowned or slayne by
mysaduenture: the Coroner shal di
ligently do his office without any
thyng taking therfore, vpon payne
of euery Coroner that wyll nat en
deuer hym to do his office, or that ta
keth any thyng for doyng his office
vpon any person dead by mysadue
ture. xl.s. Anno. i. Henrici. viii. Ca
pitulo. viii.

In case of mans death within the
vierge, it shal be commaunded to the

Coroner

Cozoner of the countrey, that he to gyther with the Cozoner of ỹ kyng ges house do make the enquyzye, & enrolle it. And that whiche can not be determined before the Steward bicause the Felons be not attached, or for other lyke cause, shal remain at the common law so that the exigentes bylagaries and presentmen tes shal of be made in Eyre by the Cozoners of the countrey, as of the other felonies done out of ỹ kynge Articles vppon the Charters. Capi tulo secundo.

¶ No Cozoner, Shirif, nor other officer shal take ought for his office and if he do, he shal restore twise so much, Westm. 1. Cap. xxvii. But the statute of Hen. viii. giueth to the co roner a marke of euery murder.

¶ Also it was said by the Justices M. ferto Richardi secundi, that the Cozoner hath no power to enquire of mannes death, but onely vppon

viewe of the body, and if he do, it is frustrate and voyd. And yf one Coro ner enquyre vpon ỹ viewe of the bo dy, and after another Cozoner wyl come and enquyre thereof agayne, this seconde enquyre is voyde for the fyrst enquyre is onely of record If one become a prouour before the Cozoner, he shal nat afterwards be admitted to say that he dyd commit the act by duresse of imprisonmente for the terrour of the Cozoner shal enpoppe on hym plede that.

If any wil sue appeale of robbery or larceny, he must come into the ful county within the yeare and the day after the felony done, and must fynde two pledges to folowe hys suit, and the Cozoner shal enter his appeale immediatly in his rol, and the names of the pledges. And then shal it be commaunded to the Bailiffes of the place, where &c. ỹ haue the body at the next countye. And if

he

he returne at the seconde countye. (Non est inuentus) then shal ỹ appeale be called from county to county vntil he be outlawed, and yf the plaintyfe make defaulte at any countye, then shal the exigent ceasle, vntil the Eyre of the Justicers in ỹ same county, and the plantyfe shall leasle hys accion after apparaunce for euer, wherby it appeareth that after the yeare and day a man shall not haue appeale of felony. And to this point agreeth Breton in his fyrste boke.

¶ The Coroner must e record hys viewe, abiuracions, appeales, accusacions of theues made before him, and so must he do of al thinges that belonge vnto his office to be done, and the none suites of plaintiffes in appealles he must record, wyth al thinges done in the county whyche belonge vnto his office. Also ye shal note that appeales shalbe made in the courtes of any Lord that hath

fraunchyle of Inkangthef in yᵉ
fence of the Cozoner. &c.

¶ A pzefentmente was fente into
the kynges benche by a Cozoners
compzifing howe a certayne perfon
taken foz felony, was conueyed vn-
to the churche by certayne ffeers.
&c. And bicaufe the Cozoner had no
power to take fuch an inditeinent,
a writ was dyzected to ỹ fame Co-
zoner, to certify whether he had a-
ny other pzefentment oz not. Anno.
xxiii Edwardi iii. Libro aſſiſarum.

¶ An aduenture of the deathe of a
man was pzefented befoze Iuſtices
in Eyze, and becaufe the fame was
not founden in the Cozoners rolle,
the Cozoners was awarded to pzi-
fon. The Cozoners fee in Eyze, is
to haue a penny of euery venue,
when they ſhal come.

¶ Note that a pzefentmẽt made be-
foze Iuſtices in Eyze of a thynge,
which is contrary to that that is

entred

entred in the Coroners rolle shalbe taken as voyde, and the coroners rolle shalbe taken for the recorde.

¶ The Coroner shal enquyre of the death of men slayne, or drowned in the armes or creekes of ỳ sea, wher the lād may be seene eyther syde, but now by the statute made. Anno xiii. Richardi secundi Capi. v. and confyrmed. An. ii. Henrici iiii. Capi. xi. the admyral hath naturall dietrō, but onely vpon the high sea, wher by it appeareth that the Coroner hath iurisdiction there to enquyre of mannes death.

A Coroner may take an appeale of felony made by an approuour in any county of England, and so may he do of an abiuracion, in case that he confesse ỳ felony to be done in an other county. And the Coroner may abiure him as wel vpon ỳ, as yf the felony had bene done within ỳ same

county. But he cannot take any ap
peale of robbery, or felonye, unles
it be within the same county where
the robbery, or felony was commit
ted, and yet he is coroner, for by
reason of his office he is attain
ted, and so is he more in y other cause
of One that cōmitteth approuour
before Justicers shal not haue a co
roner except he will confesse the fe
lony before them, and pray a Coro
ner. 7. H. 4. Edward. 3. fol.
And if one become a approuour
and appeale other of diuers felonies
done in other countyes, in this
case the Coroner is not made privie
thereupon into any forreyne countye,
but he shal enter it into his rolle,
and shal sende the same presentmēt
before the Justicers of gayle delyu
erye, and the Justicers of gayle de
liuerye, shal haue auise de prisone of the
Shiryffe of the forrayne countye,
for to take him that is so appealed.

Thus

¶ Thus ye maye vnderstand that yf any Shiriffes, Baylyffes, Escheatours, Constables, or Coroners take ought for doyng theyr offices otherwyse then to them is limited by the statutes before declared; that then such takynge is extorcion, which is punyshable at ỹ kynges pleasure, as appeareth by the statutes before wrytten, and by the statute made, An. 1. H. viii. Capit. xi. whereby it appeareth that Shiriffes, and their ministers, Baylliffes and their ministers. Escheatours, & their ministers, Coroners, and their ministers, are bounde to serue all precepts to them directed from ỹ Justicers of peace without takynge ought of partye. And yf a precept be directed to the Shyryffe, or any other the kynges officer to compell anye to appeare before the Justicers to fynde suertie of the peace, yf the partye (a gaynst whome any

suche

suche precepte is directed) hereby come before the sayde Justices, to fynde surety of the peace, they shal take nothing of him. And in lyke maner must they serue al processes that come to them, directed oute of the kynges benche, ỹ commō place the Escheker, or the Chauncerye without takynge ought therfore but onely the fees expressed in the Statutes before wrytten. And yf they take any other fees, it is plain extorcion.

¶ A breefe declaracion concernynge the extorcions of Ordinaries, persons, Vicars, and Curates.

Concernynge Ordinaries, ye ſhal vnderſtād that it is ordeyned by an eſtatute made in the .xii. yeare of kynge Henry the .viii. that no Ordinary ſhal take any thynge for the probate of the teſtament of ſuche a perſon, whoſe goods amoūte not aboue the ſumme of a hundreth ſhyllynges, except to the Scrybe. vi. pence. onely. And of goodes aboue the value of a hundreth ſhyllynges, vnto fortye pounde .xii. s. vi. pence. And the Scribe to haue. xii. pence of the ſame ſumme. And for the probate of a teſtament of goodes aboue the value of fortye pounde fiue ſhyllinges, wherof ỹ ſcrybe to haue two ſhyllynges and fyue pence, or for euery lyne beynge ten inches in lengthe one peny, alſo ſuche lyke ſummes for letters of adminiſtracion, where ſuche perſonnes dye inteſtate, and the teſtamente

to

to be regested, and deliuered to the party without delaye, and letters of administration to be graunted to the wyfe, or next of the bloud of the party deceassed, or to both. And for the probate of a testament, or letter of administration of goodes vnder the summe of a hundreth shyllynges, the ordinary shal take nothing. Moreouer it is the office of the ordinary to deface the seale of the testatour (wherewith the testamente was sealed) and to delyuer it again to the partye. And yf the ordinarye take any more then afore is limyted, he shal forfayt so much as he taketh, and ten pounde more beside that, whereof the moitye shalbe to the party greued.

If the Ordinary cyte anye person to appeare in a spirituall courte to depose in any matter there as a witnes, that is extorcion and wrong to the partye.

If

¶ If any ordinary, Person, or Vicar take anye mortuarye after the death of any person, which had not in good to the value of ten markes, that is extorcion. And likewyse it is where they take a mortuarye in such places where he hath not bene accustomed to pay mortuaries. And euen so it is wher a person or Vicar taketh more then .ii.s. and .iiii.d. in the name of a mortuary, yf ỳ goodes amount aboue ten Markes, & vnder the value of .xxx.li. for that extorcion. Also yf he take more then .vi.s. viii.d. for a mortuary wher the goodes be aboue the value of .xx. li. and vnder the summe forty pound the dettes payed, that extorcion.

And yf they take of them whose goods mount to .xl.li. aboue the dettes payed, more then .x. shyllynges a mortuary, that is extorcion.

And yf he take any mortuarye for a woman maryed, or one ỳ is with

in

tyage, or for a man that keepeth no house, it is extorcion.

¶ And yf any mortuary be taken in Wales, it is extorcion, except Bishoppes that shal take mortuaries therof, Priestes, and Curates. And the Archedeacon of Chester shall take mortuaries of priestes within the county of Chester.

¶ And whosoeuer taketh for a mortuary more then he ought, shal forfayt asmuch in value as he taketh and forty shyllynges besydes that to the party greued. Anno. xxi. Henri. octaui. Capi. vi. And this haue I thought sufficient to declare vnto you concernynge the Extorcion of Ordinaryes, Persons, Vicars, and Curates.

FINIS.

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